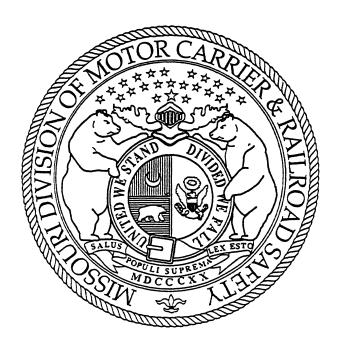


Division of Motor Carrier and Railroad Safety

SAFETY COMPLIANCE MANUAL



Stephen R. Waters Director Home Page http://www.ecodev.state.mo.us/mcrs

Issued November 2001

Toll Free Phone: 866-831-6277

Missouri Division of Motor Carrier and Railroad Safety Compliance Manual

TABLE OF CONTENTS

PREFACE		CECTION
ARE YOUS		SECTION PAGE NO.
PART 382	ALCOHOL AND DRUG TESTING REQUIREMENTS Consortium Information	1
PART 383	COMMERCIAL DRIVER'S LICENSE STANDARDS: Requirements and Penalties	10
PART 387	MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS (Interstate and Intrastate requirement)	16 nts)
PART 390	FEDERAL MOTOR CARRIER SAFETY REGULATIONS: General	21
PART 391	QUALIFICATION OF DRIVERS	25
PART 392	DRIVING OF MOTOR VEHICLES	48
PART 393	PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION	51
PART 395	HOURS OF SERVICE OF DRIVERS	59
PART 396	INSPECTION, REPAIR, AND MAINTENANCE	68
TRANSPOR	RTATION OF HAZARDOUS MATERIALS	81
MOTOR CA	ARRIERS OF PASSENGERS	92
MOTOR CA	ARRIER LEASES	101
ноw то о	BTAIN MANUALS AND FORMS	103
	DIVISION OF MOTOR CARRIER AND RAILROAD SAFETY TAFF OFFICES	103
	BORDERING STATES FEDERAL MOTOR CARRIER SAFETY	103

PREFACE

This guide was developed to assist motor carriers in achieving safety compliance with the State and Federal Motor Carrier Safety Regulations. Sample forms for driver qualification files, accident registers, maintenance records, and other items are included.

This is a guide and not intended to take the place of the regulations. For specific regulations please refer to Title 49, Code of Federal Regulations.

Some regulations contained in Title 49, Code of Federal Regulations, while not enforceable by the Division of Motor Carrier and Railroad Safety may be enforceable by other agencies within the state. Sample forms included may be used to comply with regulatory requirements, but are not mandated. Other form layouts that contain the same information or perform the same task may be sufficient. Occasionally, regulations mandate a specified form or content of a form (e.g. 49 CFR 391.43 mandates the DOT physical examination form). Consult the underlying regulation if there is any question as to the correctness of a form.

Our overall goal is to improve the safe transportation of passengers and goods on Missouri's highways, through a coordinated effort of Federal, State, and industry organizations to reduce fatalities, injuries, property damage and Hazardous Materials incidents.

This booklet is comprised of eleven parts, each containing a specific safety regulation topic that is covered in the FMCSRs. These parts are listed in the Table of Contents. Each part contains information sheets that cover the highlights of that section. Please feel free to reproduce any or all material in this package and to distribute copies as needed. You may also obtain this information on the FMCSA website at www.fmcsa.dot.gov or the Missouri Division of Motor Carrier and Railroad Safety website at www.ecodev.state.mo.us/mcrs.

It is the responsibility of motor carrier operators and drivers to know and comply with all applicable FMCSRs. Safety compliance and safe operations translate into saved lives and property. We believe the information in this package, when effectively applied, will contribute to safer motor carrier operations and highways.



Bob Holden Governor

DIVISION OF MOTOR CARRIER AND RAILROAD SAFETY

Joseph L. Driskill Director

P.O. Box 1216 Jefferson City, Missouri 65102-1216 573-751-7100 573-526-3651 FAX Stephen R. Waters
Director

ARE YOU SUBJECT TO THE SAFETY REGULATIONS?

Effective May 13, 1988 (Signing of Senate Bill 423)

Code of Federal Regulations Parts 100 through 180 (Hazardous Material Regulations) and Parts 382 through 397 (Safety Regulations) pertain to:

Any person operating any Commercial Motor Vehicle licensed for more than 12,000 pounds in Intrastate Commerce, or any person operating any Commercial Motor Vehicle with a gross vehicle weight rating greater than 10,000 pounds in Interstate Commerce.

Exemptions

- A. Vehicles licensed for 12,000 pounds or less;
- B. Vehicles licensed for 60,000 pounds or less and are used exclusively to transport solid waste (Intrastate only);
- C. Vehicles licensed for less than 48,000 pounds and the license plate has been designated for farm use by the letter F. (Intrastate only); and
- D. Persons having a valid Missouri Chauffeur's License on or before May 13, 1988, are not subject to the medical requirements of Part 391.41 (In intrastate commerce only).

NOTICE TO PASSENGER CARRIERS

<u>Intrastate</u> private and regulated passenger carriers are subject to the Safety Regulations if their seating capacity is more than 5, excluding the driver.

Interstate passenger carriers are subject if the vehicle is:

- designed or used to transport more than 8 passengers (including the driver) for compensation;

 Exception: The operation of passenger carrying vehicles designed or used to transport between 9 to 15 passengers (including the driver) for compensation are only required to comply with 49 CFR385.21, Motor carrier identification report, 49 CFR 390.15, Assistance in investigations and special studies, and 49 CFR 390.21, Marking of commercial motor vehicles (except 390.21(b)(1).
- designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation.

Alcohol and Drug Testing Requirements



Alcohol and Drug Testing Requirements

Applicability

Drivers required to have a commercial driver's license (CDL) are subject to the controlled substance and alcohol testing rules. This requirement extends to those drivers currently covered by the rule, including interstate and intrastate truck and motor coach operations.

This includes commercial motor vehicles operated by:

- For-hire and private companies
- Federal, State, local, and tribal governments
- Church and civic organizations
- Apiarian industries

Exemptions

- Drivers exempt from commercial driver's license requirements by their issuing State
- Active duty military personnel

Types of alcohol and controlled substance tests

<u>Pre-employment:</u> No employer shall allow a driver to perform a safety sensitive function until they have received the negative controlled substance test result. (There is no pre-employment alcohol testing requirement).

<u>Post-Accident:</u> As soon as practicable following an accident involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for alcohol and controlled substances each surviving driver: Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or Who receives a citation under State or local law for a moving traffic violation arising from the accident, if the accident involved: Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Random: Companies are to randomly test drivers at a minimum annual percentage rate of 10% of the number of drivers for alcohol testing, and 50% for controlled substances testing. The random alcohol test must be performed immediately prior, during or immediately after a driver is about to, or has performed a safety sensitive function as defined in Section 382.107. All drivers must have an equal chance of being selected.

Reasonable Suspicion: An employer shall require a driver to submit to an alcohol and/or controlled substance test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions concerning alcohol and/or controlled substances. The employer's determination that reasonable suspicion exists to require the driver to undergo an alcohol and/or controlled substances test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The required observations shall be made by a supervisor or company official who is trained in accordance with 382,603.

Return-to-Duty: Each employer shall ensure that before a driver returns to duty requiring the performance of a safety-sensitive function after engaging in conduct prohibited by subpart B of this part concerning alcohol or controlled substances, the driver shall undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02. or the driver shall undergo a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substances use.

Follow-up: If a Substance Abuse Professional has determined that a driver needs assistance for the misuse of alcohol, or for use of a controlled substance, an employer must ensure that the driver is subject to follow-up testing. A minimum of six tests must be conducted in the first 12 months, and the driver may only be subject to this test for a maximum of 60 months.

Retention of records

Five Years:

- Alcohol test results indicating a Breath Alcohol Concentration (BAC) of 0.02 or greater
- Verified positive drug test results
- Refusals to submit to required alcohol and drug tests
- Required calibration of Evidential Breath Testing (EBT) devices

Two Years:

• Records related to the collection process and required training

One Year:

- Negative and canceled controlled substance test results
- Alcohol test results indicating a BAC of less than 0.02

Location of Records

All required records shall be maintained in a secure location with limited access, and shall be made available for inspection by an authorized representative of the Federal Motor Carrier Safety Administration.

Supervisor training/Driver awareness

Every motor carrier shall provide educational materials explaining the requirements of the regulations as well as the employer's policies regarding alcohol misuse and controlled substances abuse. At a minimum, detailed discussions should include:

- The identity of the person designated to answer drug and alcohol questions
- Which drivers are subject to these requirements, what behavior is prohibited, and a clarification of what a "safety sensitive function" is.
- The circumstances under which a driver will be tested, and the procedures that will be used for testing.
- Explanations of the requirement that a driver submit to the testing, as well as what constitutes a driver's refusal to submit to testing.
- The consequences for drivers who have violated the testing requirements.
- Information concerning the effects of alcohol misuse, and controlled substances abuse on health, work, and personal life.

Inquiries to previous employers

A motor carrier, with the driver's written authorization, shall inquire about the following information on a driver from the driver's previous employers for a period of two years preceding the driver's date of application:

- Alcohol tests with a result of 0.04 alcohol concentration or greater;
- Verified positive controlled substances test results; and
- Refusals to be tested.

PART 382 DEFINITIONS

Subject: 382.107 Definitions

"Refusal to submit (to an alcohol or controlled substance test)" - a driver (1) fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing, (2) fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing, or (3) engages in conduct that clearly obstructs the testing process.

"Safety-sensitive function" - any of those on-duty functions set forth in 395.2 On-Duty Time, paragraphs (1) through (6) as listed below:

- (1) All time at a carrier or shipper plant, terminal, facility, or other property, waiting to be dispatched, unless the driver has been relieved from duty by the employer.
- (2) All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations (FMCSR's), or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.
- (3) All time spent at the driving controls of a commercial motor vehicle.
- (4) All time, other than driving time, spent on or in a commercial motor vehicle (except for time spent resting in the sleeper berth).
- (5) All time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
- (6) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

SAMPLE POLICY STATEMENT

This company is dedicated to providing safe and efficient service to our customers. Our employees are our most valuable resource in ensuring the quality of this service. The goal of this company is, therefore, to provide our employees with a workplace environment which promotes health and safety.

In order to meet this goal, we hereby endorse the Federal Highway Administration's anti-drug and anti-alcohol policies and regulations. This company will not tolerate unauthorized use, abuse, possession or sale of controlled substances by its employees. Drug testing will be an integral part of our program. We will provide training, education and other assistance to our employees to help them understand their responsibilities in achieving a drug-free environment.

Non-compliance with this policy or violation of the regulations may result in severe disciplinary action including suspension or dismissal.

AUTHORIZATION FOR PAST DRUG AND ALCOHOL TEST RESULTS

I understand that, under Federal law, it is a con	ndition of qualification with that I provide written authorization to obtain
refusals to get tested) from all companies for v years, whether as an employee or independent of the company, or for which I took a pre-emp	(DOT) required drug and alcohol tests (including which I provided services as a driver during the last two contractor or as an employee or contractor of an agent eloyment or pre-qualification drug test during the past ubstance Abuse Professional (SAP) under which I
The company listed below is one for which I p driver during the last two years. I authorize from this company and I authorize this compa	
provided services as a driver or to which I app (1) all positive drug test results; (2) all alcohol	ompany obtained from a previous employer for whom I lied for a driving position) during the last two years: tests results of 0.04 or greater; (3) all alcohol test all instances in which I refused to submit to a DOT-
Company Name and Address:	Dates Worked For/Applied To:
	authorization. I certify that all of the information that the company listed is one that I have provided services tion as a driver during the past two years.
Signature of Applicant	Date

OBSERVED BEHAVIOR – REASONABLE CAUSE RECORD Employee: Name: __ Identification Number: _____ Time: (from _____ am/pm: to ____ am/pm) Observation: Date: __ Location: (CITY) (STREET) (STATE) (ZIP) CAUSE FOR SUSPICION 1. Presence of Drugs and/or Drug Paraphernalia (specify): ☐ Puncture Marks ☐ Flushed Disheveled ☐ Bloodshot Eyes ☐ Inappropriate wearing of sunglasses ☐ Dilated/Constructed Pupils ☐ Profuse Sweating ☐ Dry-mouth Symptoms ☐ Runny Nose/Sores ☐ Tremors Other _ 3. Behavior ☐ Incoherent ☐ Slurred ☐ Silent ☐ Normal Speech: ☐ Slowed ☐ Confused ☐ Whispering Other _ ☐ Normal ☐ Confused ☐ Mood Swings ☐ Euphoria Awareness: ☐ Lack of Coordination ☐ Paranoid Disoriented Lethargic Other . 4. Motor Skills ☐ Normal ☐ Swaying ☐ Falling ☐ Staggering Balance: Other _ Walking & □ Normal ☐ Swaying ☐ Arms Raised for Balance Turning: ☐ Falling ☐ Reaching for Support Stumbling Other . 5. Other Observed Actions or Behavior (specify): ___ Witnessed by: am/pm (SIGNATURE) (TITLE) (DATE) (TIME) am/pm (SIGNATURE) (DATE) (TIME) This document must be prepared and signed by the witnesses within 24 hours of the observed behavior or before the results of the test are released, whichever is earlier (49 CFR 391.99(d)).

CONSORTIUM INFORMATION

Here is a list of "Consortiums" that have contacted the Missouri Division of Motor Carrier & Railroad Safety for inclusion in educational materials for motor carriers. The Division does not review, audit or endorse any of these companies. You are reminded that your company is responsible for drug and alcohol testing compliance. Evaluate carefully any company retained to provide consortium or laboratory testing services. Some companies provide more limited services. Be sure that any company you select is providing all of the services you need to ensure full compliance with the regulations.

	A & C Madical Commant Coursing
A' Test Consultants, Inc. 425 W. Broadway, Suite M North Little Rock, AR 72114 (800) 837-8648 fax: (501) 374-1872 E-Mail: jisatest@aol.com	A&C Medical Support Services 201 South Jackson St. Joplin, MO 64804 (417) 849-0277
A&C Medical Support Services Route 1 Box 4410 Long Lane, MO 65590 (417) 345-4614	Accu-Screen Shawnee, KS 66203 (913) 268-7226 fax: (913) 268-4911 Emergency Pager: (816)466-8756 E-Mail: <u>UP4US@aol.com</u>
Assure Test, Inc. 1813 Zumbehl Road St. Charles., MO 63303 (636) 916-0050 fax: (636) 916-5471 web: www.asuretest.com	BarnesCare 5000 Manchester St. Louis, MO 63110 (314) 747-6054 fax: (314) 747-6048 web: www.bjc.org
Boyce & Bynum Pathology Labs, P.C. 2703 Clark Lane Columbia, MO 65202 (573) 886-4600 fax: (573) 886-4695 (800) 392-2748	CCS Corporate Compliance Solutions, L.L.C. 315 East 18 th Avenue North Kansas City, MO 64116 (816) 472-8378 fax: (816) 421-7191 Toll free (888) 227-1998
Clinical Collection Management 8730 Big Bend Blvd. St. Louis, MO 63119 (314) 963-3404 fax: (314) 963-3406 web: www.ccm-drugtest.com E-Mail: thomas@ccm-drugtest.com	Compliance Drug Testing 110 Simpson Street Altus, OK 73521 (580) 482-2311 fax: (580) 482-2329
Consortium Management Co., Inc. (OOIDA Members only) P.O. Box 1000 Grain Valley, MO 64029-0712 (800) 288-3784	DAC / STA Attn: Timothy B. Norris P.O. Box 82089 Lincoln, NE 68501 (800) 288-8504 fax: (402)483-7949 web: www.staunited.com
Employee Screening Services P.O. Box 1665 Springfield, MO 65801 (888) 379-7697	Employee Screening Services of Tupelo 175 Old Planter Road Tupelo, MS 38862 (662) 869-1837

CONSORTIUM INFORMATION (Con't)

Here is a list of "Consortiums" that have contacted the Missouri Division of Motor Carrier & Railroad Safety for inclusion in educational materials for motor carriers. The Division does not review, audit or endorse any of these companies. You are reminded that your company is responsible for drug and alcohol testing compliance. Evaluate carefully any company retained to provide consortium or laboratory testing services. Some companies provide more limited services. Be sure that any company you select is providing all of the services you need to ensure full compliance with the regulations.

M.E.D.X. Mobile Examination & Diagnostic X-Perts 1601 East 18 th Street (suite #201) Kansas City, MO 64108 (816) 513-6808 fax: (816) 513-6820 Toll free: (800) 343-8954	MEDPLUS 110 Four Seasons West Chesterfield, MO 63017 Voice: (314) 434-7771 Fax: (314) 434-7765
Mid America Laboratories 2712 Plaza Drive Jefferson City, MO 65109 Toll free: (800) 497-6299 fax: (573)893-3280	Midwest Collection Specialists, Inc. 115 N. Second St. Clinton, MO 64735 (660) 885-9480 fax: (660) 890-2568 web: www.mcstest.com
Midwest Collection Specialists, Inc. 130 South Limit Suite D Sedalia, MO 65301 (660) 829-0020 fax: (660) 829-0050 web: www.mcstest.com	Mid-West Truckers Association Drug Testing Consortium 2727 N. Dirksen Parkway Springfield, IL 62702 (217) 525-0310 fax: (217) 525-0342 web: www.mid-westtruckers.com
ODACS, Inc. Occupational Drug & Alcohol Collections Services 1213A North Kingshighway Cape Girardeau, MO 63701 (573) 332-7711 fax: (573) 332-7722	ODACS, Inc. Occupational Drug & Alcohol Collections Services 1122 East Main Park Hills, MO 63601 (573) 431-6290 fax: (573)431-7593 Toll free: (888) 528-5781
ProLab Services, Inc. 1705 Christy Dr. Suite 105 Jefferson City, MO 65101 (573) 659-5460	Reese & Associates P.O. Box 100 Sparta, MO 65753 (417) 634-3910 fax: 634-4768 E-mail: Wreese8911@aol.com
Western Aeromedical Consortium P. O. Box 3019 Santa Maria, CA 93457 Voice: (805) 934-4799 fax: (805) 937-3559 Toll Free: (800) 365-1326 web: www.faadrug.com E-Mail: nodrugs@faadrug.com	

Commercial Driver's License Standards



Commercial Driver's License Standards:

Requirements and Penalties

The licensing provisions in **Part 383** are intended to help reduce accidents by setting standards that:

- Require commercial drivers to be properly qualified and to hold a single valid driver's license (CDL); and
- Disqualify drivers who do not operate *Commercial Motor Vehicles (CMV)* safely.

Vehicles requiring commercial driver's licenses

Drivers must hold CDLs if they operate in interstate, intrastate, or foreign *commerce* and drive a vehicle:

- With a Gross Vehicle Weight Rating (GVWR) or Gross Vehicle Weight (GVW) of at least 26,001 pounds, whichever is greater, or a lesser GVWR or GVW the Secretary of Transportation prescribes by regulation, but not less than a GVWR of 10,001 pounds; or
- Designed to transport at least 16 passengers including the driver; or
- Transporting a quantity of *hazardous materials* requiring placarding.
- Because the CDL is a State-issued license, you should check with appropriate State officials regarding particular license classes and specific exemptions.

Notification to employer and licensing State

Upon *conviction* for *any* State or local traffic violation, a driver must notify his/her employer(s) within 30 days. This notification must be in writing and must include the following information:

- Driver's full name
- Driver's license number
- Date of conviction
- Details about the offense, including any resulting suspension, revocation, or cancellation of driving privileges
- Indication of whether the violation happened in a CMV
- · Location of offense, and
- Driver's signature.

Disqualifying offenses

No employer shall knowingly allow, require, permit, or authorize a disqualified driver to drive a CMV. Disqualifying offenses include:

- Driving a CMV while under the influence of alcohol.
- Driving a CMV while under the influence of a disqualifying drug or other controlled substance.
- Leaving the scene of an accident that involves a CMV.
- Using a CMV to commit a felony.
- Using a CMV to commit serious traffic violations.
- Using a CMV to violate an Out-of-Service Order.
- Using a CMV to violate the Railroad-Highway Grade Crossing rule.

Penalties

A driver convicted of a felony offense for using a CMV for manufacturing, distributing or dispensing a controlled substance is disqualified for life, but may be eligible for reinstatement after ten years.

Suspensions for traffic violations 60-day suspension

A 60-day suspension will be imposed following conviction for *two serious traffic violations* within three years while driving a CMV.

These violations include:

- Excessive speeding (15 miles per hour or more above the posted speed limit in a single offense)
- Reckless driving, improper or erratic lane changes, or following the vehicle ahead too closely; and
- Traffic offenses involving a fatal accident.

120-day suspension

A 120-day suspension will be imposed following three convictions of any serious violations within three years.

Implied consent

Any CDL holder is automatically considered to have consented to alcohol testing by any State or jurisdiction.

MISSOURI CLASSIFICATION SYSTEM

(Note: Certain types of vehicles such as tankers, passenger, vehicles hauling hazardous materials, and double/triple trailers, will require an endorsement. Please consult text for particulars.)

<u>Class</u> *Description

A Any combination of vehicles with a Gross Combination Weight Rating (GCWR) or a registered gross weight of 26,001 or more pounds provided the Gross Vehicle Weight Rating (GVWR) of the vehicle(s) being towed is in excess of 10,000 pounds. (Holders of a Class A license may also, with any appropriate endorsements, operate all vehicles within Class B and C.)

Examples include but are not limited to:



Any single vehicle with a GVWR or registered gross weight of 26,001 or more pounds or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR. (Holders of a Class B license may also, with any appropriate endorsements, operate all vehicles within Class C.)

Examples include but are not limited to:



Any single vehicle less than 26,001 pounds GVWR or any such vehicle towing a vehicle not in excess of 10,000 pounds GVWR. This group applies only to vehicles which are placarded for hazardous materials or are designed to transport 16 or more persons, including the operator. A holder of a Class A, B or C license may drive all vehicles which may be driven by a holder of a Class E or Class F license.

Examples include but are not limited to:



*The representative vehicle for the skills test must meet the written description for that group. The examples represent, but do not fully cover, the types of vehicles falling within each group.

Endorsements

In addition to general knowledge and skills tests, drivers who operate specialized commercial motor vehicles must pass additional tests and obtain endorsements on their CDLs, as follows:

- T Double/triple trailers (knowledge test only)
- P Passenger (knowledge and skills tests)
- N *Tank vehicle* (knowledge test only)
- H— Hazardous materials (knowledge test only)
- X Combination of tank vehicle and hazardous materials (knowledge tests)

Air brake restrictions

If an applicant fails the air brake section of the knowledge test, or performs the skills test in a vehicle not equipped with air brakes, his/her CDL, if issued, will indicate that the license holder may not operate any CMV equipped with air brakes.

Note: For the purposes of the skills test and the license restriction, air brakes include any braking system that operates fully or partially on the air brake principle.

FOR HIRE LICENSE (CLASS E) – Eligible Age 18

You must have a Class E License if you receive pay for driving a motor vehicle transporting 14 or fewer passengers, or if you will transport property for pay or as part of your job, such as a pizza or florist delivery driver. Anyone who regularly operates a motor vehicle for his or her employment, which belongs to another person and is designed to carry freight and merchandise, must also have a Class E license. The vehicle driven must be 26,000 pounds or less gross vehicle weight rating (GVWR) and not required to be placarded for hazardous materials. You must be at least 18 years old and pass the driver's exam to get a Class E license.

Minimum Levels of Financial Responsibility for Motor Carriers

(Interstate and Intrastate Commerce)



Minimum Levels of Financial Responsibility for Motor Carriers (Interstate and Intrastate Commerce)

Financial responsibility means having insurance policies or surety bonds sufficient to satisfy the minimum public liability requirements. *Public liability* means liability for bodily injury, property damage, and environmental restoration. *Environmental restoration* means restitution for the loss, damage, or destruction of natural resources arising out of an accidental discharge of toxic or other environmentally harmful materials or liquids.

Requirements for financial responsibility

Motor carriers of property operating commercial motor vehicles in interstate, foreign, or intrastate commerce, and for-hire carriers of passengers operating in interstate or foreign commerce must have at least the minimum amount of insurance required by law.

(See the Schedule of Limits in this folder for minimum levels of financial responsibility.)

Proof

The motor carrier must have proof of the minimum level of insurance at the company's principal place of business.

Proof may be shown by any of the following:

- Endorsements for Motor Carriers policies of insurance for public liability under Sections 29 and 30 of the Motor Carrier Act of 1980 (Form MCS-90) issued by an insurer.
- Endorsements for Motor Carriers of Passengers policies of insurance for public liability under Section 18 of the Bus Regulatory Reform Act of 1982 (Form MCS-90B*) issued by an insurer.
- A Motor Carrier Surety Bond for public liability under Section 30 of the Motor Carrier Act of 1980 (Form MCS-82) issued by a surety.
- A Motor Carrier of Passengers Surety Bond for public liability under Section 18 of the Bus Regulatory Reform Act of 1982 (Form MCS-82B*) issued by an surety.
- A written decision, order, or authorization of the Interstate Commerce Commission authorizing the motor carrier to self-insure under 49 CFR 1043.5.

Form Approved OMB No. 2125-0074

ENDORSEMENT FOR MOTOR CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY

UNDER SECTIONS 29 AND 30 OF THE MOTOR CARRIER ACT OF 1980

issued to		_ or	
Dated at	this	day of	
Amending Policy No.		Effective Date	
Name of Insurance Company	w	······································	
Telephone Number ()			
			Authorized Company Representative
The policy to which this endorsement is attached provide	s primary or exces	ss insurance, as indicated by	"X" for the limits shown:
$\hfill\Box$ This insurance is primary and the company shall not	be liable for amou	unts in excess of \$	for each accident.
$\hfill\Box$ This insurance is excess and the company shall not be	be liable for amour	nts in excess of \$	for each accident in excess of the
underlying limit of \$ for each acc	cident.		
Whenever required by the Federal Highway Administration the FHWA or the ICC a duplicate of said policy and all its	endorsements. Th	e company also agrees, upor	telephone request by an authorized rep-

resentative of the FHWA or the ICC, to verify that the policy is in force as of a particular date.

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the ICC's jurisdiction, by providing thirty (30) days notice to the ICC (said 30 days notice to commence from the date the notice is received by the ICC at its office in Washington, D.C.).

DEFINITIONS AS USED IN THIS ENDORSEMENT

ACCIDENT includes continuous or repeated exposure to conditions which results in bodily injury, property damage, or environmental damage which the insured neither expected nor intended.

MOTOR VEHICLE means a land vehicle, machine, truck, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on a highway for transporting property, or any combination thereof.

BODILY INJURY means injury to the body, sickness, or disease to any person, including death resulting from any of these.

ENVIRONMENTAL RESTORATION means restitution for the loss,

damage, or destruction of natural resources arising out of the accidental discharge, dispersal, release or escape into or upon the land, atmosphere, watercourse, or body of water, of any commodity transported by a motor carrier. This shall include the cost of removal and the cost of necessary measures taken to minimize or mitigate damage to human health, the natural environment, fish, shellfish, and wildlife.

PROPERTY DAMAGE means damage to or loss of use of tangible property.

PUBLIC LIABILITY means liability for bodily injury, property damage, and environmental restoration

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a motor carrier of property, with Sections 29 and 30 of the Motor Carrier Act of 1980 and the rules and regulations of the Federal Highway Administration (FHWA) and the Interstate Commerce Commission (ICC).

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to the financial responsibility requirements of Sections 29 and 30 of the Motor Carrier Act of 1980 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsements thereon, or violation thereof,

or violation thereof, shall relieve the company from liability or from the payment of any final judgment, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately, to each accident, and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

The Motor Carrier Act of 1980 requires limits of financial responsibility according to the type of carriage and commodity transported by the motor carrier. It is the MOTOR CARRIER'S obligation to obtain the required limits of financial responsibility.

THE SCHEDULE OF LIMITS SHOWN ON THE REVERSE SIDE DOES NOT PROVIDE COVERAGE.

The limits shown in the schedule are for information purposes only.

Form MCS-90

lacerad to

FILING PROOF OF INSURANCE

Bodily Injury and Property Damage Liability (BIPD)

Proof of BIPD insurance must be on file with the Division before the motor carrier can transport property or passengers in and through this state. The insurance form that must be on file is one of the following:

Intrastate Operations

- 1. Form E, Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance (intrastate household goods carriers must also file a Form H, Uniform Motor Carrier Cargo Certificate of Insurance);
- 2. Form G, Uniform Motor Carrier Bodily Injury and Property Damage Surety Bond; or
- 3. An application to self-insure on the prescribed application form.

ICC Operations (SSRS - proof of BIPD insurance should be filed in registration state only)

- 1. BMC 91/91X, Uniform Motor Carrier Bodily Injury and Property Damage Certificate of Insurance;
- 2. MCS 82, Surety Bond; or
- 3. Copy of order issued by the FHWA approving self insurance status.

Interstate Exempt Operations

- 1. Form E, Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance (intrastate household goods carriers must also file a Form H, Uniform Motor Carrier Cargo Certificate of Insurance)
- 2. Form G, Uniform Motor Carrier Bodily Injury and Property Damage Surety Bond; or
- 3. An application to self-insure on the prescribed application form.

The minimum levels of BIPD liability insurance are listed below:

1. Intrastate-Passenger Service

Twelve (12) passenger or less capacity, \$100,000 for injury or death of one (1) person; \$300,000 for any one (1) accident; \$50,000 property damage for any one (1) accident.

More than twelve (12) passenger capacity, \$100,000 for injury or death of one (1) person; \$500,000 for any one (1) accident; \$50,000 property damage for any one (1) accident.

2. Intrastate Property-Nonhazardous

\$100,000 for injury or death of one (1) person; \$300,000 for any one (1) accident; \$50,000 property damage for any one (1) accident.

Hazardous substances, as defined in 49 CFR 171.8 transported in cargo tanks, portable tanks or hopper-type vehicles with capacities in excess of 3,500 water gallons; any quantity of Class 1.1, 1.2, or 1.3 explosives; any quantity of Class 2.3 Hazard Zone A; any quantity of Class 6.1, Packing Group I, Hazard Zone A; Class 7 radioactive materials in highway route controlled quantities as defined in 49 CFR 173.455; and Class 2.1 and 2.2 gases in tanks with capacities in excess of 3,500 water gallons.

Oil listed in 49 CFR 172.101; hazardous waste, hazardous materials and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 171.101, but not mentioned in 4 or 6.

Any vehicle with a seating capacity of sixteen (16) passengers or more, including the driver

Any vehicle with a seating capacity of fifteen (15) passengers or less, including the driver

*This limit applies only to vehicles with a gross vehicle weight rating of 10,000 pounds or more.

Cargo Insurance (Intrastate Household Goods Operations Only)

Proof of cargo insurance must be on file to transport household goods within the borders of this state. The insurance form must be one of the following:

- 1. Form H, Uniform Motor Carrier Cargo Certificate of Insurance; or
- 2. Form J, Uniform Motor Carrier Cargo Surety Bond.

The minimum level of cargo insurance is as follows:

Loss or damage to property carried on any one (1) motor vehicle - \$2,500; and

Loss or damage to or aggregate of losses or damages of or to property occurring at any one (1) time and place - \$5,000.

If there are any questions concerning these requirements, please contact the Missouri Division of Motor Carrier and Railroad Safety at (573) 751-4357 or 751-7103.

Federal Motor Carrier Safety Regulations

General Applicability



Federal Motor Carrier Safety Regulations: General

General applicability

The Federal Motor Carrier Safety Regulations (FMCSRs) apply to all employers, employees, and commercial motor vehicles transporting property or passengers in interstate commerce.

Commercial Motor Vehicle in "<u>INTERSTATE COMMERCE</u>": Any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle:

- Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or
- Is designed or used to transport more than 8 passengers (including the driver) for compensation; or
- Is designed or used to transport at least 16 passengers, including the driver, and is not used to transport passengers for compensation; or
- Is used in transporting a quantity of hazardous material requiring placarding.

Commercial Motor Vehicle in "<u>INTRASTATE COMMERCE</u>": Any person operating any Commercial Motor Vehicle "licensed for <u>more than 12,000 pounds</u>" in intrastate commerce.

Exemptions (Intrastate Only)

- Vehicles licensed for 12,000 pounds or less;
- Vehicles licensed for less than 48,000 pounds and the license plate has been designated for farm use by the letter F; and
- Persons having a valid Missouri Chauffeur's License on or before May 13, 1988, are not subject to the medical requirements of Part 391.41.

Exceptions to general applicability

Transportation provided by Federal, State, and local governments are exempt from the FMCSRs. Occasional transportation of personal property by individuals for non-commercial purposes, school bus operations, and transportation of human corpses, or sick and injured people are also exempt.

Accident register

Accident: An occurrence involving a commercial motor vehicle operating on a public road that results in at least one of the following:

- A fatality
- Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident
- Disabling damage to one or more motor vehicles, requiring the vehicle(s) to be towed or otherwise transported from the scene by a tow truck or other vehicle.

Accident Register: For a period of one year after an accident occurs, motor carriers are required to maintain an accident register containing the following information:

- Date and place of accident
- Driver's name
- Number of injuries and fatalities
- Hazardous materials (other than fuel) released, if any.

Motor carriers are also required to maintain copies of all accident reports required by State or other governmental entities or insurers for a period of one year after an accident occurs.

Vehicle identification (Markings)

Every commercial motor vehicle operated by a motor carrier in interstate commerce must be marked, on BOTH sides of vehicle, with the following:

- The motor carrier's name or trade name
- The city and State of its principal place of business
- The motor carrier's identification number, preceded by "US DOT."

Relief from regulations during emergencies

Relief from Parts 390-399 of the FMCSRs may be granted during declared emergencies to any motor carrier who provides emergency assistance.

ACCIDENT REGISTER

r	т	T	т	T	т	·	r	r		 	 	·	ı
(E) ESTIMATE (P) PAID (R) RESERVE													
DAMAGE													
H/M INCIDENT													
VEHICLE TOWED		:											
FATALITY						·							
INJURED													
LOCATION CITY-STATE													ITS.
DRIVER NAME									-				NOTE: KEEP A COPY OF ALL INSURANCE REPORTS AND POLICE REPORTS.
TIME									·				OF ALL INS
DATE													P A COPY
INDEX													NOTE: KE

Part 391 Qualification of Drivers



Qualification of Drivers

Motor carriers must assure that all drivers of commercial motor vehicles meet the minimum qualifications specified in Part 391.

Driver Requirements

A driver must meet the following requirements:

- Be in good health and physically able to perform all duties of a driver.
- Be at least 21 years of age to operate in interstate commerce.
- Be at least 18 years of for intrastate commerce & 21 years of age to transport hazardous materials in intrastate commerce.
- Speak and read English well enough to converse with the general public, understand highway traffic and signals, respond to official questions, and be able to make legible entries on reports and records.
- Be able to drive the vehicle safely.
- Know how to safely load and properly block, brace, and secure the cargo.
- Have only one valid commercial motor vehicle operator's license.
- Provide an employing motor carrier with a list of all motor vehicle violations or a signed statement that driver
 has not been convicted of any motor vehicle violations during the past 12 months. A disqualified driver must
 not be allowed to drive a commercial motor vehicle for any reason.
- Pass a driver's, road test or equivalent.
- Complete an application for employment.
- Possess a valid medical certificate (unless grandfathered in intrastate commerce 5/13/88).

Examples of physical requirements

(Section 391.41 provides the complete list of physical requirements)

- Has no loss of a foot, a leg, a hand, or an arm
- Has no established medical history or clinical diagnosis of diabetes requiring insulin for control
- Has no clinical diagnosis of any disqualifying heart disease
- Has no clinical diagnosis of high blood pressure
- Has no clinical diagnosis of epilepsy
- Has 20/40 vision or better with corrected lenses
- Has distant binocular acuity of at least 20/40 in both eyes
- Has the ability to recognize the colors (red, green and amber) of traffic signals
- Has hearing to perceive a forced whisper
- Has no history of drug (Schedule 1) use or any other substance identified in Appendix D
- Has no clinical diagnosis of alcoholism

Federal Exemptions

There are provisions for an exemption to a disqualification for certain physical defects if the individual is otherwise qualified to drive.

Additional instructions for medical examination

Additional instructions for the examining doctor are available from:

Director, Office of Bus and Truck Standards and Operations Federal Motor Carrier Safety Administration 400 Seventh Street, S.W. (MC-PS) Washington, DC 20590

Limited exemptions

The following specific conditions and types of drivers are exempt from specific record keeping requirements:

Drivers regularly employed before January 1, 1971 — Drivers who have been regular employees of a motor carrier for a continuous period that began before January 1, 1971 are exempt from:

- Applications for employment
- Road Tests

Multiple-employer drivers

Multiple-employer drivers – If a motor carrier employs a person as a driver on any basis, the motor carrier must have on file the driver's name, social security number, identification number, type, issuing state of his/her motor vehicle operator's license, medical certificate, road test and certificate, and controlled substance test results, even if that driver's primary employment is with another carrier.

Drivers furnished by other motor carriers – A motor carrier using a driver regularly employed by another motor carrier must have on file a signed written certificate that includes the driver's name and signature, certification of the driver's full qualifications, and expiration date of the driver's medical examiner's certificate.

Disqualifying offenses

A driver is disqualified from operating a commercial motor vehicle on public highways, for the following offenses:

- Revocation, suspension, or withdrawal of an operator's license
- Conviction or forfeiture of bond for the following criminal offenses while driving a commercial motor vehicle:
- Driving a CMV while under the influence of alcohol.
- Driving a CMV while under the influence of a disqualifying drug or other controlled substance.
- Leaving the scene of an accident that involves a CMV.
- Using a CMV to commit a felony.
- Using a CMV to violate an Out-of-Service Order.

Penalties

- A first offender is disqualified for one year following conviction or forfeiture.
- For a second offense within three years, a driver is disqualified for three years.

Driver Qualification File - Check List

Every motor carrier must have a qualification file for each regularly employed driver. The file must include:

□ DRIVER'S APPLICATION FOR EMPLOYMENT (391.21)

A person will not be allowed to drive a commercial motor vehicle unless he/she has completed and signed an application for employment.

☐ INQUIRY TO PREVIOUS EMPLOYERS — 3 YEARS (391.23(a)(2) & (c))

An investigation of the driver's employment record during the preceding three years. This investigation must be made within 30 days of the date his/her employment begins.

☐ INQUIRY TO STATE AGENCIES – 3 YEARS (391.23(a)(1) & (b))

The driver's driving record for the preceding three years.

☐ ANNUAL REVIEW OF DRIVING RECORD (391.25)

At least once every 12 months, a motor carrier must review the driving record of each driver. A note stating the results of this review shall be included in the Driver's Qualification File.

☐ ANNUAL DRIVER'S CERTIFICATION OF VIOLATIONS (391.27)

At least once every 12 months, a motor carrier must require each driver that it employs to prepare and furnish it with a list of all violations of motor vehicle traffic laws and ordinances during the previous 12 months. Note: Drivers who have provided information required by Section 383.31 need not repeat that information in this annual list of violations.

☐ DRIVER'S ROAD TEST CERTIFICATE OR EQUIVALENT (391.31)

A person must not be allowed to drive a commercial motor vehicle until he/she has successfully completed a road test and has been issued a certificate, or a copy of the license or certificate which the motor carrier accepted as equivalent to the driver's road test pursuant to Section 391.33.

☐ MEDICAL EXAMINATIONS (391.43)

The driver must pass a medical examination conducted by a licensed health care professional. A driver must be issued a Medical Examiner's Certificate, which must be carried at all times and must be renewed every two years.

• (Unless grandfaathered in intrastate commerce 5/13/88)

☐ DRUG & ALCOHOL TESTING (382.301)

Drivers operating commercial motor vehicles, which require Commercial Drivers Licenses (CDL), are subject to drug and alcohol testing as required by 382.

- •Pre-employment drug test results (382.301)
- •Carrier Drug and Alcohol Policy (382.601(d))
- •Previous Employer check on drug and alcohol (382.413)

APPLICATION FOR EMPLOYMENT

COMPANY				STREET ADDRE	ESS		
CITY, STATE, 2	ZIP CODE				XXIII II I	······································	
NAME							
(First)				(Maiden Name,	, if any)		(Last)
ADDRESS							HOW LONG?
	(Street)		(Ci	ty)	(State & Z	ip Code)	
DATE	OF BIRTH	SOCIA	AL SEC. NO				
ADDRESS							HOW LONG?
FOR PAST THREE	(Street)		(Ci	ty)	(State & Z	p Code)	
YEARS							HOW LONG?
	(Street)		(Ci	ty)	(State & Z	p Code)	
		((ATTACH SHEET IF MOR	E SPACE IS NEE	DED)		
		EXPE	RIENCE AND QUAI	IFICATIONS -	– DRIVER		
	STATE	LICENSE	NO.	TYPE			EXPIRATION DATE
DRIVER							
LICENSES			·				
DRIVING EX	PERIENCE						
CLASS OF E		TYPE OF EQUIP (VAN, TANK, FLAT		DATES	s TO		APPROX. NO. OF MILES (TOTAL)
STRAIGHT TRU	СК						
TRACTOR AND	SEMI-TRAILER						
TRACTOR-TWO	TRAILERS						
OTHER				·			
ACCIDENT R	ECORD FOR	PAST 3 YEARS O	R MORE (ATTACH S	SHEET IF MOR	RE SPACE IS	NEEDED)
DATES			NATURE OF ACCIDENT -ON, REAR-END, UPSET,	E OF ACCIDENT EATALITIES		ALITIES	INJURIES
LAST ACCIDEN	т						
NEXT PREVIOU	ıs						
NEXT PREVIOU	ıs						

TRAFFIC CONVICTIONS AND FORFEITURES FOR THE PAST 3 YEARS (OTHER THAN PARKING VIOLATIONS)

LOCATION	DATE	CHARGE		PENALTY
	ATTACH SHEET IF MO	RE SPACE IS NEEDED)		
A. Have you ever been denied a license	e, permit or privilege to o	operate a motor vehicle?	Yes	No
B. Has any license, permit or privilege e	ever been suspended or	revoked?	Yes	No
IF THE ANSWER TO EITHER A OR	B IS YES, ATTACH STA	TEMENT GIVING DETAILS		
EMPLOYN	MENT RECORD (Attach	Sheet If More Space Is Ne	eded)	
Note: DOT Requires That Employment f			-	10 Years Be Shown
LAST EMPLOYER:				
ADDRESS:				
POSITION HELD:		FROM	то	SALARY
REASON FOR LEAVING				
SECOND LAST EMPLOYER:				
ADDRESS:				
POSITION HELD:		FROM	то	SALARY
REASON FOR LEAVING				
THIRD LAST EMPLOYER:				
ADDRESS:				
POSITION HELD:		FROM	то	SALARY
REASON FOR LEAVING				
	TO BE READ AND SIG	GNED BY APPLICANT		
This certifies that this application was concest of my knowledge.	mpleted by me, and that	all entries on it and informati	ion in it are true	e and complete to the
Date		Applicant's Signature		
		Application Signature		

Note: A motor carrier may require an applicant to provide information in addition to the information required by the Federal Motor Carrier Safety Regulations.

INQUIRY TO PAST EMPLOYERS

TO:		DATE:	
FROM: Company:			
Name & Title:			
Street Address:		File	:
Street Address: Sta	ate:	Zip:	
Personnel Manager: The person named below has applied to the applicant as a past employer. Will you kind will note from the waiver stated below, the company (and its agents) for information seconvenience in replying by return mail, we	dly reply to this inquiry re applicant has waived any submitted in response to have enclosed a stampe	egarding this applicy or claim of liability a this inquiry. For yo	cant? As you Igainst the our
Name of applicant:	Social	Security No.	
Job applied for:			
This applicant lists dates of employment correct? Yes No If no, please explain:	t with your firm from :	to:	Is this
2. What kind(s) of work did he/she do? Driv	ver ; Dock ; Office ; Shop	; Other (Specify) _	
3. If employed as a driver, please indicate to Twin-Trailers; Bus; Other (specify)	type of equipment driven.	Tractor trailer ; St	raight truck ;
4. Number of accidents; number number in which the applicant was at fault separate sheet). 5. To your knowledge, was this person's cl suspended or revoked while in your emplo	(Please show da hauffeur, operator's or Co	ates and circumsta commercial Drivers	nces on a
6. Did the applicant conform to reasonable Regulations during employment? Yes; No 7. Why did this employee leave your comp. 8. Would you re-employ this person? Yes;	any? Resigned ; Dischar		Carrier Safety
Bv	Da	te	
By(Signature of person supplying inf	ormation)		
(Former Employer) I hereby authorize this company to relevant it and including all records of employed and alcohol testing results and reability, and fitness, to each and every and employees) which may request suemployment with said company. I here and its officers, directors, employees a result of providing the above-mentione to this company, its officers, directors.	ployment, work history efusals, oral assessme company (and its agen ich information in conre by release this com-pa and agents from any are ed information	, nts of my job per ts nection with my a any nd all liability of a	rformance,
(Applicant's signature)		(Witness's signa	ture)

INQUIRY TO STATE AGENCY FOR DRIVER'S RECORD 391.23

Requests to Missouri:	
Department of Revenue	(Driver's Name)
P.O. Box 200 Jefferson City, MO 65105	(Driver's Operator's Lic. No.)
Price: \$1.25 per name	
Check, cash, or money order Fax: 573-751-2730	(Driver's Social Sec. No.)
Dear Sir:	
	lication with us for employment as a driver. tor's license or permit has been issued by your ding.
Regulations we are required to make inqu	nd (b) of the Federal Motor Carrier Safety ciry into the driving record during the preceding licant-driver has held a motor vehicle operator's
Therefore, please certify to us what the inc three years, or certify that no driving reco	dividual's driving record is for the preceding ord exists if that be the case.
_ ·	sfy your requirements for making such inquiries, necessary for us to complete our inquiry into the
Respectfully yours,	
Signature of person making inquiry	
(Printed) Name of person making inquiry	
Title of person making inquiry	
Motor Carrier Name	

Zip

State

City

Street

VIOLATION AND REVIEW RECORD

Driver's Name		PLEASE PRINT OR TYPE)	
I. CERTIFICATION OF VIOLATION	ons		
I certify that the following is a victed or forfeited bond or collate	true and complete list of traffic veral during the past 12 months.	olations (other than parking viol	ations) for which I have been con-
Date of	Offense	Location	Type of Vehicle Operated
If no violations are listed above required to be listed during the page 1	e, I certify that I have not been cast 12 months.	onvicted or forfeited bond or coll	ateral on account of any violation
DATE OF CERTIFICATION)		(DRIVER'S SIGNATURE)	
(MOTOR CARRIER'S NAME)	A)	MOTOR CARRIER'S ADDRESS)	
(REVIEWED BY SIGNATURE)		(TITLE)	
II. REVIEW AND EVALUATION	OF DRIVER'S RECORD:		
			the above driver's safety of oper- reviewed for the past 12 months.
Action taken:			
(MOTOR CARRIER'S NAME)	(N	MOTOR CARRIER'S ADDRESS)	
(REVIEWED BY: SIGNATURE)	//	PATE) (TITLE)	

RECORD OF ROAD TEST

Instructions to Evaluator: Check () items which the driver performs satisfactorily, use "X" where performance is unsatisfactory. Any item not evaluated, leave blank. _____ Home Address _ Driver's Name Social Security No. ______ License No. _____ State _____ Class ______ ______ Trailer(s) _____ Equipment Driven: Truck Tractor _____ (MAKE & MODEL) Length of Test ______ Mi. From/In ______To ____ Start Time ______ Finish Time _____ Weather Conditions _____ PART 1 - PRE-TRIP INSPECTION AND PART 3 - PLACING VEHICLE IN MOTION **EMERGENCY EQUIPMENT** AND USE OF CONTROLS Checks general condition approaching unit A. MOTOR Places transmission in neutral before starting engine Checks fuel, oil, water and for excessive oil on engine Starts engine without difficulty Checks around unit - Tires, lights, trailer hook-up, Checks instruments at regular intervals brake and light line, doors and inspects for body Maintains proper engine rpm while driving damage **B. BRAKES** Tests steering, brake action, tractor protection valve, Knows proper use of and checks tractor-protecand parking brake tion valve (trailer air supply valve) Tests service brakes Checks horn, windshield wipers, mirrors, emergency Builds full air pressure before moving equipment; reflectors, flares, fuses, tire chains (if C. CLUTCH AND TRANSMISSION necessary), fire equipment Starts unit moving smoothly Checks instruments for normal readings Uses clutch properly Checks dashboard warning lights for proper functioning D. LIGHTS (If tested at night) Cleans windshield, windows, mirrors, lights and Adjusts speed for range of headlights reflectors Dims lights when approaching another vehicle or following other traffic Reviews and signs previous report PART 4 - BACKING AND PARKING PART 2 - COUPLING AND UNCOUPLING A. BACKING Gets out and checks area before backing Connects glad hands to trailer to apply trailer brakes Understands and utilizes mirrors properly before coupling Signals when backing (if appropriate) Avoids backing from blind side Connects glad hands and light line properly B. PARKING (CITY) Couples without difficulty Parks without hitting any other vehicles or station-Raises landing gear fully after coupling ary objects Parks correct distance from curb Visually checks king pin assembly to be certain of Secures unit properly - sets parking brake, transproper coupling mission in correct gear, shuts off engine, blocks Checks coupling by applying hand valve or tractor-prowheels (when necessary) tection valve (trailer air supply valve) and gently Carefully enters traffic from parked position applying pressure by trying to pull away from trailer C. PARKING (ROAD) Assures himself that surface will support trailer before Parks off pavement uncoupling Secures unit properly Uses emergency warning signal or devices when necessary

PART 5 - SLOWING AND STOPPING	E. PASSING Allows sufficient space ahead for passing Passes only in safe locations
Uses clutch and gears properly	Signals changing lanes before and after passing
Gears down properly before descending hills	Warns driver ahead of his intention to pass
Starts without rolling back	Passes with sufficient speed differential to minimize obstructing traffic
Tests brakes before descending grades	Returns to right lane promptly but only when safe
Uses brakes properly on grades	to do so
Makes proper use of mirrors	F. SPEED Observes speed limits
Plans stop far enough in advance to avoid hard braking	Drives at speed consistent with ability
Stops clear of crosswalks	Adjusts speed properly to road, weather and traf- fic conditions Slows down in advance of curves, danger zones
PART 6 - OPERATING IN TRAFFIC, PASSING AND TURNING	and intersections Maintains constant speed where possible
A. TURNING Signals intention to turn well in advance Gets into proper lane well in advance of turn Checks traffic conditions and turns only when intersection is clear	G. COURTESY AND SAFETY Yields right of way Consistently strives to drive in safe manner Allows faster traffic to pass Uses horn only when necessary
Restricts traffic from passing on right when preparing to complete right hand turn Completes turn promptly and safely and does not impede other traffic	PART 7 - MISCELLANEOUS
B. TRAFFIC SIGNS AND SIGNALS Plans stop in advance and adjusts speed correctly Obeys all traffic signals Comes to a complete stop at all stop signs	A. GENERAL DRIVING ABILITY AND HABITS Consistently alert and attentive Consistently is aware of changing traffic conditions Anticipates problems
C. INTERSECTIONS Yields right of way Checks for cross traffic regardless of traffic controls Enters all intersections prepared to stop if necessary	Performs routine functions without taking eyes from road Checks instruments regularly while driving Personal appearance is professional
D. GRADE CROSSINGS Stops at a minimum 15 feet but not more than 50 feet	Remains calm under pressure B. USE OF SPECIAL EQUIPMENT (SPECIFY)
before crossing if stop is necessary Selects proper gear and does not shift gears while crossing Knows and understands Federal and State rules governing grade crossings	
REMARKS:	
GENERAL PERFORMANCE: Satisfactory □ Needs T	raining □ Explain
QUALIFIED FOR: Straight Truck; Tractor-Semitrail Special Equipment	ler; □ Twin Trailers; □ Other Combination □
Special Equipment	(SPECIFY)
	SIGNATURE OF EXAMINER

CERTIFICATION OF ROAD TEST

Driver's Name		
(SOCIAL SECURITY NUMBER)	(OPERATOR'S OR CHAUFFEUR'S LICENSE NUMBER)	(STATE)
Type of Power Unit	Type of Trailer(s)	
If passenger carrier, type of bus		
This is to certify that the above-named driv	ver was given a road test under my supervision on	19
consisting of approximately	miles of driving.	
It is my considered opinion that this driver plisted above.	possesses sufficient driving skill to operate safely the type of	commercial motor vehicle
(S	SIGNATURE OF EXAMINER)	(TITLE)
	(ORGANIZATION AND ADDRESS OF EYAMINED)	

EQUIVALENT OF ROAD TEST FOR CDL DRIVERS

§391.33 Equivalent of road test.

- (a) In place of, and as equivalent to, the road test required by §391.31, a person who seeks to drive a motor vehicle may present, and a motor carrier may accept —
- (1) A valid operator's license which has been issued to him by a State that licenses drivers to operate specific categories of motor vehicles and which, under the laws of that State, licenses him after successful completion of a road test in a motor vehicle of the type the motor carrier intends to assign to him; or
- (2) A copy of a valid certificate of driver's road test issued to him pursuant to §391.31 within the preceding 3 years.
- (b) If a driver presents, and a motor carrier accepts, a license or certificate as equivalent to the road test, the motor carrier shall retain a legible copy of the license or certificate in its files as part of the driver's qualification file.
- (c) A motor carrier may require any person who presents a license or certificate as equivalent to the road test to take a road test or any other test of his driving skill as a condition to his employment as a driver.

MEDICAL EXAMINATION REPORT FOR COMMERCIAL DRIVER FITNESS DETERMINATION

The Missouri Division of Motor Carrier and Railroad Safety, in an effort to assist commercial motor vehicle drivers, has included a new Medical Examination Report Form in this Compliance Manual. The new medical examination form format takes effect November 6, 2001. Every commercial motor vehicle driver whose medical examination comes due on or after November 6, 2001 must use a medical examination report that complies with the new format requirements.

There are several medical examination report formats available from various form suppliers. The enclosed Medical Examination Report Form is a 3-page form published by J.J. Keller & Associates, Inc. The Missouri Division of Motor Carrier and Railroad Safety has obtained authorization from J.J. Keller & Associates, Inc. to include their version of the new medical examination report in our Compliance Manual. Although the Division has included their form as one example of how to achieve compliance, the Division does not endorse J.J. Keller & Associates, Inc. products.

649-F (6045)

Medical Examination Report FOR COMMERCIAL DRIVER FITNESS DETERMINATION

DAIVER STREORINGING	Uriver completes this	es this section.							
Uriver's Name (Last, First, Middle)		Social Security No.	ly No.	Birthdate	Age Sex		on Date of Exam	E	
				M/D/Y		A			
Address	City, State, Zip Code		Work Tel: (Driver Li	e No.	License Class	State of	
			Home Tel: (~			V C	Issue	
							ᅙ		
ALTH HISTORY	Driver completes this section, but medical examiner is encouraged to discuss with driver.	, but medical	examiner is	encouraged to	discuss with a	river.			,
Yes No	<u> </u>	Yes No				Yes No			
Any Illness or Injury in last 5 years? Head/Brain Injuries, disorders or illnesses	Ses	Lung disea	Lung disease, emphysema Kidney disease, dialysis	Lung disease, emphysema, asihma, chronic bronchitis Kidney disease, dialvsis	ronchitis	Fainting, dizziness Fainting while seleen deutime	e oi hreathla ahile	aniprop nools	
Seizures, epilepsy		Liver disease	99			sleepiness, loud snoring	ng	isidep, dayılıtı	
Unicondation Eye disorders or impaired vision (except corrective lenses)	pt corrective lenses)		roblems elevated blood	Digestive problems Diabetes or elevated blood sugar controlled by:		Stroke or paralysis Missing or imperred hand, arm, foot, leg. linger, toe	and, arm, foot, leg. find	ier, toe	
Ear disorders, loss of hearing or balance Heart disease or heart attack; other cardiovascular condition	ce rdiovascular condition	□ diet				Splnal injury or disease			
Heart surgery (valve replacement/bypass, angloplasty, pacemaker)	s, angioplasty, pacemaker)	insulin	nevebletric dies	Insulin Manane as penalelation dispersions on a source descention	2000	Regular, frequent alcohol use	hol use		
High blood pressure I medication		medication	popularino disci	1010 o.B.; 00101	uoiseaidan	I varcone of rigon forming unit use	eso fina nee		
Shortness of breath		l Coss of, or	Loss of, or altered consciousness	sseusr				•	
For any YES answer, Indicate onset date, diagnosis, I medications) used regularly or recently.		g physician's r	name and a	ddress, and an	y current limita	reating physician's name and address, and any current limitation. List all medications (including over-the-counter	(including over-l	he-counter	
I certify that the above information is complete and true Examiner's Certificate.	complete and true. I un	derstand that	inaccurate,	false or missin	g information i	 e. I understand that inaccurate, false or missing information may invalidate the examination and my Medical 	nation and my M	edical	7
1		Driver's Signature	ure			Date			
Medical Examiner's Comments on Health History (The medical medications, including over-the-counter medications, while driving.)	Health History (The m er medications, while d	nedical examin Iriving.)	er must rev	ew and discus	s with the driv	The medical examiner must review and discuss with the driver any "yes" answers and potential hazards of while driving.)	J potential hazan	ls of	
									1

h 7
3 through
the state of
<u> </u>
ctio
Se
letes
miner completes Section 3
ner c
xami
Ш́ —
TESTING (Medical Examin
<u> </u>
ž
EST
F

3. VISION Star	ndard: At least h eye. The use	20/40 ac of correc	sulty (Snellen) in each e	Standard: At least 20/40 aculty (Snellen) in each eye with or without correction. At least 70° peeach eye. The use of corrective lenses should be noted on the Medical Examiner's Certificate.	Standard: At least 20/40 aculty (Snellen) in each eye with or without correction. At least 70° peripheral in horizontal meridian measured in each eye. The use of corrective lenses should be noted on the Medical Examiner's Certificate.	ntal meridian measured in
radio with 20 as numerator and the smallest type read at 20 habitually wears contact lenses, or intends to do so while dr.	en omer man me tor and the smalle: Tenses, or intends	Snellen cl st type reg s to do so	nart is used, give test resul ad at 20 feet as denominato • while driving, sufficient evic	lts in Snellen-comparable values. In or. If the applicant wears corrective I. dence of good tolerance and adapta	INSTRUCTIONS: When other than the Shellen chart is used, give test results in Shellen-comparable values. In recording distance vision, use 20 feet as normal. Report visual acuity as a ratio with 20 as numerator and the smallest type read at 20 feet as denominator. If the applicant wears corrective lenses, these should be worn while visual acuity is being tested. If the driver habitually wears contact lenses, or intends to do so while driving, sufficient evidence of good tolerance and adaptation to their use must be obvious. Monocular drivers are not qualified.	as normal. Report visual acuity as a al acuity is being lested. Il the driver ocular drivers are not qualitied.
Numerical readings must be provided.	must be provid	led.		Applicant can recog	Applicant can recognize and distinguish among traffic control	rol
ACUITY UNCORRECTED	ECTED CORRECTED		HORIZONTAL FIELD OF VISION		signals and devices showing standard red, green and amber colors?)er
Right Eye 20/	20/		Right Eye		Applicant mosts visual south requirement only when warring	L
Left Eye 20/	20/		Left Eye	Series Courses	Corrective I enses	Ġ
Both Eyes 20/	20/			Monocular Vision: Vec	No.	
Complete next line only if vision testing is done by an	ıly if vision testin	ng is done	в by an ophthalmologist or optometrist			
Date of Examination	Name of Ophtha	Imologist	Name of Ophthalmologist or Optometrist (print) Tel.	Tel. No. License No.	License No/State of Issue	ure
4. HEARING	Standard: a) Must first percelve	ust first pring ald us	perceive forced whispersed for tests. Check if	e forced whispered voice ≥ 5 ft., with or without hear! tests. ∐ Check if hearing aid required to meet standard.	e forced whispered voice ≥ 5 ft., with or without hearing aid, or b) average hearing loss in better ear ≤ 40 dB tests. ∐ Check if hearing aid required to meet standard.	ing loss in better ear ≤ 40 dB
INSTRUCTIONS: To convert audiometric test results from tested and divide by 3.	onvert audiometri.	ic test resu	ults from ISO to ANSI, -14 d.	IB from ISO for 500 Hz, -10 dB for 1,	ISO to ANSI, -14 dB from ISO for 500 Hz, -10 dB for 1,000 Hz, -8.5 dB for 2,000 Hz. To average, add the readings for 3 frequencies	e, add the readings for 3 frequencies
Numerical readings must be recorded.	must be record	led.			ייים וייים	1 -
		-	l		Hight Ear	Lelt Ear
a) Hecord distance from individual at which forced whispered voice can first be heard.	m individual at wh s can first be hear		Right Ear Left Ear Feet Feet	b) If audiometer is used, record hearing loss in decibels. (acc. to ANSI Z24.5-1951)	ng loss in 500 Hz 1000 Hz 2000 Hz	2 500 Hz 1000 Hz 2000 Hz
					Average:	Average:
5. BLOOD PRESSURE / PULSE RATE	SSURE / PULS	SE RAT	ž	umerical readings must be recorded.		
Blood Systolic	Diastolic			_	GUIDELINES FOR BLOOD PRESSURE EVALUATION	
Pressure				On initial exam	Within 3 months	Certify
Driver qualified if ≤ 160/90 on initial exam.	160/90 on		If 161-180 and/or 91	161-180 and/or 91-104, qualify 3 mos.	If ≤ 160 and/or 90, quality for 1 yr. Document Rx & control the 3rd	Annually if acceptable BP is maintained
Dulos	Γ;		7 707 11		HOLINI.	
Rate Irregular	lar		unii reduced unii reduced Then qualify fe	II > 180 and/or 104, not qualified until reduced to < 181/105.	If s 160 and/or 90, qualify for 6 mos. Document Rx & control the 3rd month.	Biannually
				Medical examiner should take at	Medical examiner should take at least 2 readings to confirm blood pressure.	ressure.
6. LABORATORY AND	Y AND OTHER	R TEST	NGS	Numerical readings must be recorded.	Ŧi.	
Urinalysis is required. Protein, blood or sugar in the ur rule out any underlying medical problem. Other Testing (Describe and record)	Protein, blood c g medical proble be and record)	or sugar i em.	in the urine may be an in	ine may be an indication for further testing to	SP. GR. PRO URINE SPECIMEN	PROTEIN BLOOD SUGAR

	menable of to take ing.	uld affect has been	YES* NO									\neg										
	lled adequately, is not likely to worsen or is readily a driver temporarily. Also, the driver should be advise I result in more serious lilness that might affect driv	detail in the space below, and indicate whether it wo omment. If organic disease is present, note that it l	CHECK FOR:	Enlarged liver, enlarged spleen, masses, bruits, hernia, signilicant abdominal wall muscle weakness.	Abnormal pulse and amplitude, carotid or arterial bruits, varicose veins.	Hernias.	Loss or impairment of leg, foot, toe, arm, hand, finger. Perceptible limp, deformities, atrophy weakness, paralysis.	clubbing, edema, hypotonia. Insufficient grasp and prehension in unner limb to maintain steering wheel grin	Insufficient mobility and strength in lower limb to operate pedals properly.	Previous surgery, deformities, limitation of motion, tenderness.	Impaired equilibrium, coordination or speech pattern; paresthesia, asymmetric deep tendon reflexes, sensory or positional abnormalities, abnormal patellar and Babinski's	гө/lехеs, аtахіа.		ctive lenses	by a waiver/exemption	Skill Performance Evaluation (SPE) Certificate	Driving within an exempt intracity zone	Qualified by operation of 49 CFR 391.64	nature	me (print)		
(lbs.)	articularly if the condition is control miner may consider deferring the If the condition, if neglected, coulc	mal. Discuss any YES answers in c cable liem number before each co	NO BODY SYSTEM	7. Abdomen and Viscera s	Nascular System Vascular System Vascular System	9. Genilo-urinary System 1-	10. Extremities - Limb Limpaired. Driver may				musculoskeletat 12. Neurological			ICB. Wearing corrective lenses	Accompanied by a.	Skill Performan		☐ Qualified by o	Medical Examiner's Signature.	Medical Examiner's Name (print)	Address	Telephone Number
AMINATION Height:(in.) Weight:	The presence of a certain condition may not necessarily disqualify a driver, particularly if the condition is controlled adequately, is not likely to worsen or is readily amenable to treatment. Even if a condition does not disqualify a driver, the medical examiner may consider deferring the driver temporarily. Also, the driver should be advised to take the condition as soon as possible particularly if the condition, if neglected, could result in more serious illness that might affect driving.	Check YES if there are any abnormalities. Check NO if the body system is normal. Discuss any YES answers in detail in the space below, and indicate whether it would affect the driver's ability to operate a commercial motor vehicle safely. Enter applicable them number before each comment. If organic disease is present, note that it has been compensated for. See Instructions to the Medical Examiner for auidance.	CHECK FOR:	Marked overweight, tremor, signs of alcoholism, problem drinking, or drug abuse.	Pupillary equality, reaction to light, accommodation, ocular motility, ocular muscle imbalance, extraocular movement,	nystagrius, exoprinamos, strausmus uncorrected by corrective lenses, retinopathy, cataracts, aphakia, glaucoma,	macular degeneration.	Middle ear disease, occiusion of external canar, perrorated eardrums.	tremediable deformities likely to interfere with breathing or swallowing.	Murmurs, extra sounds, enlarged hearl, pacemaker.	Abnormal chest wall expansion, abnormal raspiratory rate, abnormal breath sounds including wheezes or alveolar rales, impaired respiratory function, dyspnea, cyanosis. Abnormal findings on physical exam may require	further testing such as pulmonary tests and/or xray of chest.		Note certification status here. See instructions to the Medical Examiner for guidance.	Meets standards in 49 CFR 391.41; qualifies for 2 year certificate	t standards	Meets standards, but periodic evaluation required	driver qualified only for:	□ 1 year	is 🗆 Other	□ Temporarily disqualified due to (condition or medication):	Return to medical examiner's office for follow up on
7. PHYSICAL EXAMINATION	The presence of a ceri to treatment. Even if a the necessary steps to	Check YES if there are the driver's ability to or compensated for.	BODY SYSTEM	1. General Appearance	2. Eyes			3. Ears	4. Mouth and Throat	5. Heart	6. Lungs and chest, not including breast examination.		*COMMENTS:	Note certification state	☐ Meets standar	□ Does not meet standards	☐ Meets standar	Due to	3 months	☐ 6 months	☐ Temporarily di	Return to med

If meets standards, complete a Medical Examiner's Certificate according to 49 CFR 391.43(h). (Driver must carry certificate when operating a commercial vehicle.)

49 CFR 391.41 Physical Qualifications for Drivers

THE DRIVER'S RO

Responsbilliles, work schedules, physical and emollonal demands, and lifestyles among commercial drivers vary by the type of driving that they do. Some of the main types of drivers include the following: turn around or short relay (drivers return to their home base each evening); long relay (drivers drive 8-10 hours and then have an 8-hour off-duty period), straight through haul (cross country drivers); and team drivers (drivers share the driving by alternating their 4-hour driving periods and 4-hour rest periods).

The following factors may be involved in a driver's performance of dutles: abrupt schedule changes and rotating work schedules, which may result in irregular sleep patterns and a driver beginning and ealing palterns, adverse road, wealher and traffic conditions, which may cause delays and lead to hurriedly loading or unloading cargo in order to compensate for the lost time; and environmental conditions such as excessive vibration, noise, and extremes in temperature. Transporting passengers or hazardous materials may add to the demands on the commercial driver. a trip in a fallgued condition, long hours; extended time away from family and triends, which may result in tack of social support; tight pickup and delivery schedules, with irregularity in work, rest,

loading and unloading trailer(s) (sometimes a driver may lift a heavy load or unload as much as 50,000 lbs. of freight after sitting for a long period of time without any stretching period); inspecting the operating condition of tractor and trailer(s) before, during, and after delivery of cargo; lifting, installing, and removing heavy tire chains; and, lifting heavy tarpautins to cover open top trailers. The above lasks demand agility, the ability to bend and stoop, the ability to maintain a crouching position to inspect the underside of the vehicle, frequent entering and exiting of the cab, and the ability There may be dulles in addition to the driving task for which a driver is responsible and needs to be fit. Some of these responsibilities are: coupling and uncoupling trailer(s) from the tractor, to climb ladders on the tractor and/or trailer(s).

In addition, a driver must have the perceptual skills to monitor a sometimes complex driving situation, the judgment skills to make quick decisions, when necessary, and the manipulative skills to control an oversize steering wheel, shilt gears using a manual transmission, and maneuver a vehicle in crowded areas.

§391.41 PHYSICAL QUALIFICATIONS FOR DRIVERS

- (a) A person shall not drive a commercial motor vehicle unless he is physically qualitied to do so and, except as provided in §391.67, has on his person the original, or a photographic copy, of a medical examiner's certificate that he is physically qualitied to drive a commercial motor vehicle.
- (b) A person is physically qualified to drive a motor vehicle if that person:
 - (1) Has no loss of a foot, a leg, a hand, or an arm, or has been granted a Skill Performance Evaluation (SPE) Certificate (formerly Limb Walver Program) pursuant to §391.49.
- (2) Has no impairment of: (i) A hand or finger which interferes with prehension or power grasping; or (ii) An arm, foot, or leg which interferes with the ability to perform normal tasks associated with operating a commercial motor vehicle; or any other significant limb defect or limitation which interferes with the ability to perform normal tasks associated with operating a commercial motor vehicle; or has been granted a SPE Certificate pursuant to §391.49.
 - (3) Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control;
- (4) Has no current clinical diagnosis of myocardial infarction, angina pectorls, coronary insufficiency, thrombosis or any other cardiovascular disease of a variety known to be accompanied by syncope, dyspnea, collapse, or congestive cardiac failure.
 - (5) Has no established medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with his ability to control and drive a commercial motor vehicle safety.
- (6) Has no current clinical diagnosis of high blood pressure likely to interfere with his ability to operate a commercial motor vehicle safety.

(7) Has no established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, muscular, neuromuscular, or vascular disease which interferes with his ability to control and operate a commercial motor vehicle safely.

(8) Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a commercial motor vehicle;

(9) Has no mental, nervous, organic, or functional disease or psychiatric disorder likely to interfere with his ability to drive a commercial motor vehicle safely, 10) Has distant visual scully of allowed 2000.

(10) Has distant visual acuity of at least 20/40 (Snellen) in each eye without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70 degrees in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green and amber;

(11) First perceives a forced whispered voice in the better ear not less than 5 feet with or without the use of a hearing aid, or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 declibels at 500 Hz, 1,000 Hz and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) 224,5-1951;

(12) (i) Does not use a controlled substance Identified in 21 CFR 1308.11 Schedule I, an amphetamine, a narcotic, or any other habit-forming drug. (ii) Exception: A driver may use such a substance or drug, if the substance or drug is prescribed by a licensed medical practitioner who: (A) is familiar with the driver's medical history and assigned duties; and (B) Has advised the driver that the prescribed substance

or drug will not adversely affect the driver's ability to safely operate a commercial motor vehicle; and

(13) Has no current clinical diagnosis of alcoholism.

INSTRUCTIONS TO THE MEDICAL EXAMINER

General Information

knowledgeable of these requirements and guidelines developed (CMV) in interstate commerce according to the requirements in 49 CFR 391.41-49. Therefore, the medical examiner must be familiar with the driver's responsibilities and work environment qualification determination. The medical examiner should be by the FMCSA to assist the medical examiner in making the and is referred to the section on the form, The Driver's Role. physical qualification to operate a commercial motor vehicle The purpose of this examination is to determine a driver's

Indicate the need for additional laboratory tests or more stringent ob responsibilities, work schedule and potential for the condition these medications while driving. Educate driver to read warning are usually made by the medical examiner in light of the driver's cause for rejection, particularly if required by regulation, or may labels on all medications. History of certain conditions may be examination perhaps by a medical specialist. These decisions counter medications relative to the side effects and hazards of In addition to reviewing the Health History section with the examiner should discuss common prescriptions and over-thedriver and conducting the physical examination, the medical to render the driver unsafe.

cause for denial, and they should be discussed with the driver to encourage appropriate remedial care. This advice is especially Medical conditions should be recorded even if they are not needed when a condition, if neglected, could develop into a serious illness that could affect driving.

drive and is also able to perform non-driving responsibilities as certificate which the driver must carry with his/her license. The certificate is valid for two years, unless the driver has a medical examination should be done carefully and at least as complete frequent monitoring. In such situations, the medical certificate condition that does not prohibit driving but does require more If the medical examiner determines that the driver is fit to as is indicated by the attached form. Contact the FMCSA at should be issued for a shorter length of time. The physical (202) 366-1790 for further information (a vision exemption, may be required, the medical examiner signs the medical certificate must be dated. Under current regulations, the qualifying drivers under 49 CFR 391.64, etc.).

Interpretation of Medical Standards

whether a driver meets the physical qualifications for commercial Administration (FMCSA) has published recommendations called Advisory Criteria to help medical examiners in determining Since the issuance of the regulations for physical qualifications regulation is printed in italics and its reference by section is provide information to medical examiners that (1) is directly driving. These recommendations have been condensed to relevant to the physical examination and (2) is not already of commercial drivers, the Federal Motor Carrier Safety Included in the medical examination form. The specific highlighted.

Federal Motor Carrier Safety Regulations - Advisory Criteria -

Loss of Limb:

§391.41(b)(1)

A person is physically qualified to drive a commercial motor vehicle if that person:

Has no loss of a foot, leg, hand or an arm, or has been granted a Skill Performance Evaluation (SPE) Certificate pursuant to Section 391.49.

Limb Impairment:

§391.41(b)(2)

with prehension or power grasping; or (ii) An arm, foot, or leg which interferes with the ability to perform normal tasks associated with operating a commercial motor vehicle; or (iii) Any other significant limb defect or limitation which interferos A person is physically qualified to drive a commercial motor Has no impairment of: (i) A hand or linger which interferes granted a Skill Performance Evaluation Certificate pursuant operating a commercial motor vehicle; or (iv) Has been with the ability to perform normal tasks associated with vehicle if that person: to Section 391.49.

commercial motor vehicle is subject to the Skill Performance Evaluation (SPE) Certification Program pursuant to section A person who suffers loss of a foot, leg, hand or arm or whose limb impairment in any way interferes with the safe performance of normal tasks associated with operating a 391.49, assuming the person is otherwise qualified

certain risks are still present, and thus restrictions may be included on Individual SPE certificates when a State Director Program (formerly the Limb Waiver Program) was designed to allow persons with the loss of a foot or limb or with safely operate a commercial motor vehicle. Since there are functional impairment to qualify under the Federal Motor Carrier Safety Regulations (FMCSRs) by use of prosthetic devices or equipment modifications which enable them to With the advancement of technology, medical aids and compensate for certain disabilities. The SPE Certification no medical aids equivalent to the original body or limb, for the FMCSA determines they are necessary to be equipment modifications have been developed to consistent with safety and public Interest.

(391.41(b)(3) through (13)), the medical examiner must check employing motor carrier are subject to appropriate penalty if on the medical certificate that the driver is qualified only if the driver operates a motor vehicle in interstate or foreign accompanied by a SPE certificate. The driver and the commerce without a current SPE certificate for his/her If the driver is found otherwise medically qualified physical disability.

§391.41(b)(3)

A person is physically qualified to drive a commercial motor vehicle if that person:

Has no established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control.

result in a loss of consciousness or disorientation in time and the insulin dosage. Incapacitation may occur from symptoms much or too little insulin, or food intake not consistent with Diabetes mellitus is a disease which, on occasion, can of hyperglycemic or hypoglycemic reactions (drowsiness, semiconsciousness, diabetic coma or insulin shock). conditions which can get out of control by the use of too space. Individuals who require insulin for control have

The administration of insulin is, within itself, a complicated commercial motor vehicle operations, such as fatigue, lack of consistently held that a diabetic who uses insulin for control concomitant illness, compound the diabetic problem. Thus, process requiring insulin, syringe, needle, alcohol sponge does not meet the minimum physical requirements of the because of these inherent dangers, the FMCSA has and a sterile technique. Factors related to long-haul sleep, poor diet, emotional conditions, stress, and FMCSRs.

by the use of oral medication and diet, then an individual may body production of insulin. If the condition can be controlled prescribed for diabetic individuals to help stimulate natural Hypoglycemic drugs, taken orally, are sometimes (See Conference Report on Diabetic Disorders and be qualified under the present rule.

http://www.fmcsa.dot.gov/rulesregs/medreports.htm) Vehicle Drivers at:

Commercial Drivers and Insulin-Using Commercial Motor

Cardiovascular Condition

§391.41(b)(4)

A person is physically qualified to drive a commercial motor vehicle if that person:

accompanied by syncope, dyspnea, collapse or congestive angina pectoris, coronary insufficiency, thrombosis or any Has no current clinical diagnosis of myocardial infarction, other cardiovascular disease of a variety known to be cardiac failure.

(1) a current cardiovascular condition, or (2) a cardiovascular condition which has not fully stabilized regardless of the time specifically designed to encompass: "a clinical diagnosis of" Include: a clinical diagnosis of a cardiovascular disease (1), limit. The term "known to be accompanied by" is defined to The term "has no current clinical diagnosis of" is

which is accompanied by symptoms of syncope, dyspnea, collapse or congestive cardiac failure; and/or (2) which is likely to cause syncope, dyspnea, collapse or congestive cardiac failure.

It is the intent of the FMCSRs to render unqualitied, a driver who has a current cardiovascular disease which is accompanied by and/or likely to cause symptoms of syncope, dyspnea, collapse, or congestive cardiac failure. However, the subjective decision of whether the nature and severity of an individual's condition will likely cause symptoms of cardiovascular insufficiency is on an individual basis and qualification rests with the medical examiner and the motor carrier. In those cases where there is an occurrence of cardiovascular insufficiency (myocardial infarction, thrombosis, etc.), it is suggested before a driver is certified that he or she have a normal resting and stress electrocardiogram (ECG), no residual complications and no physical limitations, and is taking no medication likely to interfere with safe driving.

Coronary artery bypass surgery and pacemaker implantation are remedial procedures and thus, not unqualitying. Coumadin is a medical treatment which can improve the health and safety of the driver and should not, by its use, medically disquality the commercial driver. The emphasis should be on the underlying medical condition(s) which require treatment and the general health of the driver. The FMCSA should be contacted at (202) 366-1790 for additional recommendations regarding the physical qualitication of drivers on coumadin.

Topinical of Commercial Section of Commercial Section of Commercial Divers at:

http://www.fmcsa.dot.gov/rulesregs/medreports.htm)

Respiratory Dysfunction

§391.41(b)(5)

A person is physically qualitied to drive a commercial motor vehicle if that person: Has no established medical history or clinical diagnosis of a respiratory dysfunction likely to interfere with ability to control

and drive a commercial motor vehicle safely.

Since a driver must be alert at all times, any change in his or her mental state is in direct conflict with highway safely.

Even the slightest impairment in respiratory function under emergency conditions (when greater oxygen supply is necessary for performance) may be detrimental to safe

There are many conditions that interfere with oxygen exchange and may result in incapacitation, including emphysema, chronic asthma, carcinoma, tuberculosis, chronic bronchitis and sleep apnea. If the medical examiner detects a respiratory dysfunction, that in any way is likely to interfere with the driver's ability to safely control and drive a specialist for further evaluation and therapy. Anticoagulation therapy for deep vein thrombosis and/or pulmonary thromboembolism is not unqualifying once optimum dose is achleved, provided lower extremity venous examinations

remain normal and the treating physician gives a favorable ecommendation.

(See Conference on Pulmonary/Respiratory Disorders and Commercial Drivers at:

http://www.fmcsa.dot.gov/rulesregs/medreports.htm)

Hypertension

§391.41(b)(6) A person is physically qualilied to drive a commercial motor vehicle if that person:

venicie II intat petson. Has no current clinical diagnosis of high blood pressure likely lo inferfere with ability to operate a commercial motor vehicle safety.

Hypertension alone is unlikely to cause sudden collapse; however, the likelihood increases when target organ damage, particularly cerebral vascular disease, is present. This regulatory criteria is based on FMCSA's Cardiac Conference recommendations, which used the report of the 1984 Joint National Committee on Detection, Evaluation, and Treatment of High Blood Pressure.

A blood pressure of 161-180 and/or 91-104 diastolic is considered mild hypertension, and the driver is not necessarily unqualified during evaluation and institution of treatment. The driver is given a 3-month period to reduce his or her blood pressure to less than or equal to 160/90; the certifying physician should state on the medical certificate that it is only valid for that 3-month period. If the driver is subsequently found qualified with a blood pressure less than or equal to 160/90, the certifying physician may issue a medical certificate for a 1-year period, but should confirm blood pressure control in the third month of this 1-year period. The individual should be certified annually thereafter. The expiration date must be stated on the medical certificate.

thereafter. The expiration date must be stated on the medical certificate. Commercial drivers who present for certification The driver may not be qualified, even temporarily, until his or and/or 105. For blood pressure greater than 180 and/or 104 documentation of continued control should be made every 6 with normal blood pressures but are taking medication(s) for greater than 104 diastolic is considered moderate to severe. recommended if the medical examiner is unable to establish her blood pressure has been reduced to less than 181/105. Individual once the Individual's blood pressure is below 181 individuals who present with blood pressures in the mild or A blood pressure of greater than 180 systolic and/or hypertension should be certified on the same basis as months. The Individual should be certified biannually The examining physician may temporarily certify the moderate to severe range. Annual recertification is the blood pressure at the time of diagnosis.

An elevated blood pressure finding should be confirmed by at least two subsequent measurements on different days. Inquiry should be made regarding smoking, cardiovascular disease in relatives, and immoderate use of alcohol. An electrocardiogram (ECG) and blood profile, Including glucose, cholesterol, creatiline and potassium, should be made. An echocardiogram and chest x-ray are

desirable in subjects with moderate or severe hypertension. Since the presence of target damage increases the risk of sudden collapse, group 3 or 4 hypertensive retinopathy, left ventricular hypertrophy not otherwise explained (echocardiography or ECG by Estes criteria), evidence of severely reduced left ventricular function, or serum creatinine of greate than 2.5 warrants the driver being found unqualitied to operate a commercial motor vehicle in interstate commerce.

Treatment includes nonpharmacologic and pharmacologic modalilies as well as counseling to reduce other risk factors. Most antihypertensive medications also have side effects, the importance of which must be judged on an individual basis. Individuals while be alerted to the hazards of these medications while driving. Side effects of somnolence or syncope are particularly undesirable in commercial drivers.

A commercial driver who has normal blood pressure 3 or more months after a successful operation for pheochromocyloma, primary aldosteronism (unless bilateral adrenalectomy has been performed), renovascular disease, or unitateral renal parenchymal disease, and who shows no evidence of target organ may be qualified. Hypertension that persists despite surgical intervention with no target organ disease should be evaluated and treated following the guidelines set forth above.

(See Conference on Cardiac Disorders and Commercial Drivers at:

http://www.fmcsa.dot.gov/rulesregs/medreports.htm)

Rheumatic, Arthritic, Orthopedic, Muscular, Neuromuscular or Vascular Disease §391.41(b)(7)
A person is physically qualified to drive a commercial motor vehicle if that person:

Has no established medical history or clinical diagnosis of rheumatic, arthritic, orthopedic, muscular, neuromuscular or vascular disease which interferes with ability to control and operate a commercial motor vehicle safely.

Certain diseases are known to have acute episodes of transient muscle weakness, poor muscular coordination (alaxia), abnormal sensations (paresthesia), decreased muscular tone (hypotonia), visual disturbances and pain which may be suddenly incapacitating. With each recurring episode, these symptoms may become more pronounced and remain for longer periods of time. Other diseases have more insidious onsets and display symptoms of muscle wasting (atrophy), swelling and paresthesia which may not suddenly incapacitate a person but may restrict his/her movements and eventually interfere with the ability to safely operate a motor vehicle. In many instances these diseases are degenerative in nature or may result in deterioration of the involved area.

Once the individual has been diagnosed as having a rheumatic, arthritic, orthopedic, muscular, neuromuscular or vascular disease, then he/she has an established history of that disease. The physician, when examining an individual, should consider the following: (1) the nature and severity of

the Individual's condition (such as sensory loss or loss of strength); (2) the degree of limitation present (such as range of motion); (3) the lifelihood of progressive limitation (not always present initially but may manifest itself over time); and (4) the likelihood of sudden incapacitation. It severe functional impairment exists, the driver does not quality. In cases where more frequent monitoring is required, a certificate for a shorter time period may be issued. (See Conference on Neurological Disorders and Commercial Drivers at:

http://www.fmcsa.dol.gov/rulesregs/medreports.htm)

Epilepsy §391.41(b)(8)

A person is physically qualified to drive a commercial motor vehicle if that person:
Has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a motor

Epilepsy is a chronic functional disease characterized by selzures or episodes that occur without warning, resulting in loss of voluntary control which may lead to loss of consciousness and/or selzures. Therefore, the following drivers cannot be qualified: (1) a driver who has a medical history of epilepsy; (2) a driver who has a current clinical diagnosis of epilepsy; or (3) a driver who is taking antiseizure medication.

If an individual has had a sudden episode of a nonepileptic setzure or loss of consciousness of unknown cause which did not require antiseizure medication, the decision as to whether that person's condition will likely cause loss of consciousness or loss of ability to control a motor vehicle is made on an individual basis by the medical examiner in consultation with the treating physician. Before certification is considered, it is suggested that a 6-month waiting period elapse from the time of the episode. Following the waiting period, it is suggested that the individual have a complete neurological examination. If the results of the examination are negative and antiseizure medication is not required, then the driver may be qualified.

In those individual cases where a driver has a seizure or an episode of loss of consciousness that resulted from a known medical condition (e.g., drug reaction, high temperature, acute infectious disease, dehydration or acute metabolic disturbance), certification should be deferred until the driver has fully recovered from that condition and has no existing residual complications, and not taking antiseizure

See Conference on Neurological Disorders and Commercial Drivers at:

http://www.fmcsa.dot.gov/rulesregs/medreports.htm)

Wental Disorders

A person 18, physically qualified to drive a commercial motor wehicle if that berson:

Has no mental, nervous, organic or functional disease or osychiatric disorder likely to interfere with ability to drive a motor vehicle safely.

Emollonal or adjustment problems contribute directly to an individual's level of memory, reasoning, attention and judgment. These problems often underlie physical disorders. A variety of functional disorders can cause drowsiness, dizziness, confusion, weakness or paralysis that may lead to incoordination, inattention, loss of functional control and susceptibility to accidents while driving. Physical fatigue, headache, impaired coordination, recurring physical aliments and chronic "nagging" pain may be present to such a degree that certification for commercial driving is inadvisable. Somatic and psychosomatic complaints should be thoroughly examined when determining an individual's overall timess to drive. Disorders of a periodically incapacitating nature, even in the early stages of development, may warrant

Many bus and truck drivers have documented that "nervous trouble" related to neurolic, personality, emotional or adjustment problems is responsible for a significant fraction of their preventable accidents. The degree to which an individual is able to appreciate, evaluate and adequately respond to environmental strain and emotional stress is critical when assessing an individual's mental alertness and flexibility to cope with the stresses of commercial motor vehicle driving.

openly aggressive, paranoid or severely depressed behavior greatly interfere with the driver's ability to drive safely. Those individuals who are highly susceptible to frequent states of disqualification. Careful consideration should be given to the When examining the driver, it should be kept in mind that openly aggressive, paranoid or severely depressed behavior See Conference on Psychiatric Disorders and Commercial side effects and interactions of medications in the overall patterns. Excessively antagonistic, instinctive, impulsive, patterns. Excessively antagonistic, instinctive, impulsive, Report for specific recommendations on the use of these individuals who live under chronic emotional upsets may emotional instability (schizophrenia, affective psychoses, qualification determination. See Psychiatric Conference paranola, anxiety or depressive neuroses) may warrant have deeply ingrained maladaplive or erratic behavior medications and potential hazards for driving. Drivers at:

http://www.fmcsa.dot.gov/rulesregs/medreports.htm)

Vision

A person is physically qualified to drive a commercial motor vehicle if that person:

Has distant visual acuity of at least 20/40 (Snellen) in each eye with or without corrective lenses or visual acuity separately corrected to 20/40 (Snellen) or better with corrective lenses, distant binocular acuity of at least 20/40 (Snellen) in both eyes with or without corrective lenses, field of vision of at least 70 degrees in the horizontal meridian in each eye, and the ability to recognize the colors of traffic signals and devices showing standard red, green, and amber

The term ability to recognize the colors of" is interpreted to mean if a person can recognize the colors of" is interpreted to mean if a person can recognize and distinguish among traffic control signals and devices showing standard red, green and amber, he or she meets the minimum standard, even though he or she may have some type of color perception deficiency. If certain color perception tests are administered, (such as Ishihara, Pseudoisochromatic, Yarn) and doubtful findings are discovered, a controlled test using signal red, green and amber may be employed to determine the driver's ability to recognize these colors.

Contact lenses are permissible if there is sufficient evidence to indicate that the driver has good tolerance and is well adapted to their use. Use of a contact lens in one eye for distance visual acuity and another lens in the other eye for near vision is not acceptable, nor telescopic lenses acceptable for the driving of commercial motor vehicles.

If an individual meets the criteria by the use of glasses or contact lenses, the following statement shall appear on the Medical Examiner's Certificate: "Qualified only if wearing corrective lenses."

(See Visual Disorders and Commercial Drivers at: http://www.fmcsa.dot.gov/rulesregs/medreports.htm)

learing

§391.41(b)(11)

A person is physically qualified to drive a commercial motor vehicle if that person:

First perceives a forced whispered voice in the better ear at not less than 5 feet with or without the use of a hearing aid, or, if tested by use of an audiometric device, does not have an average hearing loss in the better ear greater than 40 decibels at 500 Hz, 1,000 Hz, and 2,000 Hz with or without a hearing aid when the audiometric device is calibrated to American National Standard (formerly ASA Standard) 224.5-1951.

Since the prescribed standard under the FMCSRs is the American Standards Association (ANSI), it may be necessary to convert the audiometric results from the ISO standard to the ANSI standard. Instructions are included on the Medical Examination report form.

the driver must wear that hearing aid and have it in operation If an individual meets the criteria by using a hearing aid, at all times while driving. Also, the driver must be in possession of a spare power source for the hearing aid. For the whispered voice test, the individual should be

Using the breath which remains after a normal expiration, the stationed at least 5 feet from the examiner with the ear being tested turned toward the examiner. The other ear is covered. 18, 23, etc. The examiner should not use only sibilants (s-sounding test materials). The opposite ear should be tested examiner whispers words or random numbers such as 66, In the same manner. If the Individual falls the whispered voice test, the audiometric test should be administered.

If an Individual meets the criteria by the use of a hearing aid, the following statement must appear on the Medical Examiner's Certificate "Qualified only when wearing a hearing ald."

See Hearing Disorders and Commercial Motor Vehicle

Orivers at:

http://www.fmcsa.dot.gov/rulesregs/medreports.htm)

\$391.41(b)(12)

A person is physically qualified to drive a commercial motor vehicle if that person:

other habit-forming drug. Exception: A driver may use such advised the driver that the prescribed substance or drug will a substance or drug, if the substance or drug is prescribed Does not use a controlled substance identified in 21 CFR by a licensed medical practitioner who is familiar with the not adversely affect the driver's ability to safely operate a 1308.II. Schedule I, an amphetamine, a narcotic, or any driver's medical history and assigned duties; and has commercial motor vehicle.

of the medical certification process is to medically evaluate a driver to ensure that the driver has no medical condition which interferes with the safe performance of driving tasks on A lest for controlled substances is not required as part of this biennial certification process. The FMCSA or the driver's medically unqualified. Motor carriers are encouraged to obtain a practitioner's written statement about the effects on This exception does not apply to methadone. The intent substance, an amphetamine, a narcotic, or any other habita public road. If a driver uses a Schedule I drug or other forming drug, it may be cause for the driver to be found transportation safety of the use of a particular drug.

body fluid testing. If body fluid testing takes piace, positive test results should be confirmed by a second test of greater The term "uses" is designed to encompass instances of established medical means. This may or may not involve specificity. The term "habit-forming" is intended to include prohibited drug use determined by a physician through the FMCSRs.

controlled substances and alcohol testing under Part 382 of

employer should be contacted directly for information on

becoming habitual, and which may impair the user's ability to any drug or medication generally recognized as capable of operate a commercial motor vehicle safety.

successful completion of a drug rehabilitation program, and a negative drug test result. Additionally, given that the Recertification may involve a substance abuse evaluation, the prohibited drug(s) use and until a second examination shows (See Conference on Neurological Disorders and Commercial Drivers and Conference on Psychlatric Disorders and The driver is medically unqualified for the duration of the certification period is normally two years, the examiner has the option to certify for a period of less than 2 years if this examiner determines more frequent monitoring is required the driver is free from the prohibited drug(s) use. Commercial Drivers at:

http://www.fmcsa.dot.gov/rulesregs/medreports.htm)

§391.41(b)(13) Alcoholism

A person is physically qualified to drive a commercial motor vehicle if that person:

Individual shows signs of having an alcohol-use problem, he designed to encompass a current alcoholic lilness or those instances where the individual's physical condition has not or she should be referred to a specialist. After counseling The term "current clinical diagnosis of" is specifically fully stabilized, regardless of the time element. If an and/or treatment, he or she may be considered for Has no current clinical diagnosts of alcoholism. certification.



Printed by J. J. KELLER & ASSOCIATES, INC., Neenah, WI • USA (800) 327-6868 • www jikelter.com • Printed in the United States

MULTIPLE-EMPLOYER DRIVERS

Instructions: If a motor carrier employs a person as a multiple-employer driver (as defined in CFR 390.5), the motor carrier shall comply with all requirements of Part 391, except the carrier need not—

- (1) Require the person to furnish an application for employment (390.21);
- (2) Make an inquiry into the person's driving record during the preceding three years to the appropriate State agency(s) and an investigation of the person's employment record during the preceding three years (391.23);
- (3) Perform annual review of the person's driving record (391.25); or
- (4) Require the person to furnish a record of violations or a certificate (391.27).

The checklist below may be helpful to ensure that required documents are obtained.

DRIVER	QUALIFICATION FILE CHECKLIST
Name	
Social Security Number	
Driver's License Number_	
Type of License	State
In addition to the above in	aformation, copies of the following must be obtained.
	Medical Examiner's Certificate
	Road Test (or equivalent)
ū	Certificate of Road Test
٥	Written Test (or equivalent)
	Certificate of Written Test
П	Controlled Substances Test

Part 392

Driving of Motor Vehicles



Part 392

Driving of Motor Vehicles

Illness or fatigue

No driver is permitted to operate a motor vehicle when his/her ability and/or alertness is impaired by fatigue, illness, or any other cause that makes it unsafe to begin (or continue) to drive the vehicle.

Drugs

No driver may be on duty and possess, be under the influence of, or use

- Any Schedule I drug or other substance listed in Appendix D
- Any amphetamine or formulation of an amphetamine (including pep pills and bennies)
- Narcotics or derivatives
- Any other substance that makes driving unsafe.

Alcohol

A driver is forbidden to consume or be under the influence of alcohol within four hours of going on duty, while on duty, or while driving. A driver is forbidden to possess an alcoholic beverage while on duty, unless it is a manifested part of the shipment.

Safe loading

No one may drive or require anyone to drive a commercial motor vehicle unless the cargo is properly loaded and secured.

Railroad crossing/stopping

Motor vehicles transporting hazardous materials, and most buses transporting passengers, are forbidden to cross railroad tracks without first stopping and looking both ways. Additionally, the driver must not shift gears while crossing the track.

Seat belts

A driver must not drive before correctly restraining him/herself, if the vehicle is equipped with seat belt assemblies.

Emergency signals for stopped vehicles

A vehicle stopped upon a highway or shoulder must activate the vehicle's hazard warning flashers at once. The driver must leave the flashers on until warning devices are activated. The flashers must again be used while the warning devices are being picked up before the vehicle moves on.

Placement of warning devices

The warning devices must be placed as follows (except where special rules apply):

- 1. One warning device must be placed on the traffic side of the vehicle, within ten feet, in the direction of approaching traffic.
- 2. A second device must be placed facing approaching traffic approximately 100 feet away in the center of the lane or shoulder where the vehicle is stopped.
- 3. The third device must be placed about 100 feet away from the stopped vehicle, in the direction away from approaching traffic.

Radar detectors

Use of radar detectors is prohibited, including the following:

- Radar detectors shall not be used by a driver in a commercial vehicle
- A driver shall not operate any commercial motor vehicle that is equipped with a radar detector.
- Motor carriers shall not require or permit a driver to violate the radar detector provisions.

Part 393

Parts and Accessories Necessary For Safe Operation



Part 393

Parts and Accessories Necessary for Safe Operation

Every commercial motor vehicle must be equipped with certain standard equipment. Other (optional) equipment or accessories are permitted only if these items do not decrease the operational safety of the vehicle.

LIGHTS

What lighting is covered?

Part 393 specifies the required color, position, and types of lamps and reflectors for commercial motor vehicles. All lamps and reflectors for commercial motor vehicles manufactured after March 7, 1989 must meet the requirements of Federal Motor Vehicle Safety Standard (FMVSS) No. 108 (49 CFR 571.108) in effect on the date of manufacture. Certain trailers manufactured on or after December 1, 1993, must have retro-reflective sheeting or additional reflex reflectors to make them more visible to other motorists at nighttime and under other conditions of reduced visibility. Trailers manufactured before December 1, 1993 must be retrofitted with retroflective sheeting or additional reflectors by June 1, 2001.

Lamps and reflectors on commercial motor vehicles manufactured on or prior to March 7, 1989 must meet either the requirements of Part 393 or of FMVSS No. 108 that were in effect on the date of manufacture.

Must be operable

All required lamps must light on request at an inspection and must light when required during regular operation of the vehicle.

Lamp mounting

All lamps must be permanently and securely mounted on a permanent part of the vehicle. The exceptions are temporary lamps, such as those used in a driveaway-towaway operation or mounted on projecting loads. Temporary lamps must be securely attached.

Stop lamps

All stop lamps on a commercial motor vehicle must activate when the service brakes are applied.

BRAKES

Commercial motor vehicles must be equipped with the following brake systems:

- A service brake system that meets the requirements of 49 CFR 393.52, which specifies braking and holding performance.
- A parking brake system that meets the requirements of 49 CFR 393.41, which specifies parking brake activation and the method for holding the brakes in the applied position.

Brakes on all wheels

Every commercial motor vehicle must be equipped with brakes acting on all wheels, with the following exceptions:

- Trucks and truck tractors with three or more axles, manufactured before July 25, 1980, are not required to have steering axle brakes.
- Vehicles being towed in a driveaway-towaway operation. (However, the towed vehicle must have brakes in operation if the brakes on the towing vehicle are not capable of stopping the combination vehicle under the conditions covered by Section 393.52.)
- Any full trailer, semitrailer, or pole trailer having a gross weight of 3,000 pounds or less, provided the trailer weight does not exceed 40 percent of weight of the towing vehicle.

Breakaway and emergency braking

Every vehicle used to tow a trailer equipped with brakes must have a means of maintaining the operation of the brakes on the towing vehicle in the event that the trailer breaks away from the towing vehicle. Among the other requirements:

- Every truck or truck tractor equipped with air brakes, when used to tow other vehicles equipped with air brakes, must be capable of activating (manually and automatically) the emergency features of the trailer brakes. The brakes must apply automatically when the towing vehicle air supply pressure is between 20 and 45 psi. The manual control must be operable by the driver from the driver's seat, with seat belt in use.
- Every trailer is required to be equipped with brakes that apply automatically if the trailer breaks away from the towing vehicle*. The brakes must remain in the applied position for at least 15 minutes.

^{*}These requirements do not apply to vehicles in driveaway-towaway operations.

Brake tubing and hose

Safe and reliable operation of a vehicle's brakes depends upon adequate protection of the tubing and hoses from mechanical and other damage.

- *Design and construction* of brake tubing and hose must ensure proper, adequate, and continued functioning.
- Installation must ensure proper functioning of the hose.
- Length and flexibility must accommodate all normal motions of the parts to which the hose is attached.
- Protection against mechanical damage must include protection against chafing, kinking, and mechanical damage.
- Protection from high temperature must include protection from or location away from exhaust pipes and other sources of high temperatures.

Brake warning devices

Buses, trucks, and truck tractors must be equipped with a signal that provides a warning to the driver when a failure occurs in the vehicle's service brake system. This signal requirement covers hydraulic brake systems, air brake systems, vacuum brake systems, and hydraulic brakes applied or assisted by air or vacuum.

Antilock Braking Systems (ABS)

Certain commercial motor vehicles are required to be equipped with antilock braking systems that meet the requirements of FMVSS No. 105 (49 CFR 571.105) concerning hydraulic brake systems, and FMVSS No. 121 (49 CFR 571.121) concerning air brake systems. The rules apply to:

- Truck-tractors manufactured on or after March 1, 1997;
- Air-braked single-unit trucks, buses, and trailers (including converter dollies) manufactured on or after March 1, 1998; and
- Hydraulic-braked trucks and buses manufactured on or after March1999.

Automatic brake adjusters and brake adjustment indicators

- Each commercial motor vehicle manufactured on or after October 20, 1993, and equipped with a hydraulic brake system, must be equipped with an automatic brake adjustment system that meets the requirements of FMVSS No. 105.
- Each commercial motor vehicle manufactured on or after October 20, 1994, and equipped with an air brake system, must be equipped with an automatic brake adjustment system that meets the requirements of FMVSS No. 121.
- Air-braked vehicles manufactured on or after October 20, 1994, and equipped with an external automatic adjustment mechanism, must be equipped with an automatic brake adjustment indicator that meets the requirements of FMVSS No. 121.

Windshield condition

A vehicle's windshield must be free of discoloration and cracks in the area extending from the top of the steering wheel to within two inches of the top of the windshield.

Fuel systems

Fuel systems used for the operation of commercial motor vehicles and of auxiliary equipment installed on or used in connection with commercial motor vehicles must meet the following requirements.

Each fuel system must be located so that

- No part of the system extends beyond the widest part of the vehicle.
- No part of a fuel tank is forward of the front axle or a power unit.
- Fuel lines do not extend between a towed vehicle and the towing unit while the combination is in motion.
- No part of the fuel system of a bus manufactured on or after January 1, 1973, is located within or above the passenger compartment.

Coupling devices

Sections 393.70 and 393.71 provide requirements for the attachment and location of the fifth wheel and requirements for the towing of full trailers. In addition, requirements for saddle mount operations are provided.

Cargo securement

Sections 393.100-393.106 provide the standards covering cargo securement. Cargo is required to be loaded and secured so that it will not shift or fall off the vehicle. The cargo securement regulations include minimum strength requirements for securement devices and requirements for protection against longitudinal and lateral movement of the cargo. In addition, Section 393.106 covers headerboards.

Sleeper berths

Sleeper berths must meet minimum dimensions. A sleeper berth must not be installed on a trailer and must be located in or adjacent to the cab. An exit door at least 18" high by 36" wide must lead directly into the cab. Section 393.76 contains special provisions for sleeper berths installed before 1975.

Sleeper berths must be equipped with adequate sheets and blankets, and a mattress and springs or innerspring mattress. They must be adequately ventilated, and located so as to protect occupants against exhaust heat and fumes and fuel leaks. A mandatory restraint system must withstand at least 6,000 lbs. of force applied toward the front of the vehicle.

Exhaust systems

Exhaust systems must meet the following requirements:

- The exhaust system and discharge must be located where it is not likely to burn or damage the electrical wiring, the fuel supply, nor any combustible part of the vehicle.
- The discharge from the exhaust system must not be located immediately below the fuel tank or the fuel tank filler pipe.
- The exhaust system may not be temporarily repaired with patch or wrap material.
- The exhaust pipe and mufflers must be securely fastened to the vehicle.
- The exhaust system may not leak or discharge at any point forward of or directly below the driver or sleeper compartment.

For trucks and truck tractors, the exhaust system must discharge at a location to the rear of the cab, or above and near the rear of the cab.

For a bus powered by a *gasoline* engine, the exhaust pipe must discharge at a point no farther forward than six inches forward of the rearmost part of the bus.

For a bus powered by *diesel or other fuel* (not gasoline), the exhaust pipe must discharge either

- At a point no farther forward than 15 inches forward of the rearmost part of the bus, or
- To the rear of all doors or windows designed to be open (not including emergency exits).

Rear end protection

Every commercial motor vehicle must be equipped with either bumpers or other devices that prevent the under ride of another vehicle. Tractors, pole trailers, and driveaway-towaway vehicles are exempt. Certain trailers manufactured on or after January 26, 1998 must have rear impact guards that meet FMVSS Nos. 223 & 224.

Seat belts

Commercial motor vehicle must be equipped with seats, seat belt assemblies, and seat belt anchorages as specified in the Federal Motor Vehicle Safety Standards (FMVSS).

EMERGENCY EQUIPMENT

Commercial motor vehicles must carry the following emergency equipment:

- Fire extinguisher (not required for driveaway-towaway operations)
- Spare fuses
- Warning devices for stopped vehicles

Fire extinguisher

Fire extinguishers must be securely mounted and readily accessible for use. Each extinguisher must have a gauge or other indicator that shows whether the extinguisher is fully charged, and a label showing its Underwriters' Laboratories (UL) rating.

The fire extinguisher(s) must meet one of the following standards:

- One extinguisher with a UL rating of 5 B:C or more or
- Two extinguishers each with a UL rating of 4 B:C or more.
- One extinguisher with a UL rating of 10 B:C, if the vehicle is transporting placardable quantities of hazardous material.

FRAMES, CAB AND BODY COMPONENTS, WHEELS, STEERING, AND SUSPENSION SYSTEMS

Suspension systems

Suspension systems are required to be structurally sound and in safe working order, including the following:

- Axles must be in proper alignment, and no positioning part can be cracked, broken, loose, or missing.
- Adjustable axles must have locking pins in place.
- Leaf springs must not be cracked, broken, missing, or shifted out of position.
- Coil springs must not be cracked or broken.
- Torsion bars must not be cracked or broken.
- Air suspensions must support the vehicle in a level position, and must not leak.

Steering system

Steering system must be in proper working order, which includes the following:

- Steering wheel must be properly secured and no cracked or missing spokes.
- Steering wheel lash must meet the requirements of Section 393.209.
- Steering column must be securely fastened.
- Steering system must not have worn or welded universal joints, loose steering gear box, missing bolts, or a loose pitman arm on the steering gear output shaft.
- Power steering unit must not have loose or broken parts, frayed, cracked, or slipping belts; leaks; or insufficient fluid in reservoir.

FMCSA's Conspicuity Requirements for Commercial Motor Vehicles

The FMCSA has regulations requiring the use of conspicuity materials (i.e., retroreflective sheeting (or reflex reflectors)) on trailers and the rear of truck tractors. The rules are intended to reduce the incidence of motorists crashing into the sides or rear of trailers at nighttime and under other conditions of reduced visibility, and to reduce the incidence of motorists rear-ending truck tractors (being operated without trailers) under the same conditions.

There are three separate groups of commercial motor vehicles subject to the FMCSA 's requirements and the date of manufacture for the vehicle must be known to determine the applicability of the rules to the vehicle. The rules cover:

- trailers manufactured on or after December 1,1993;
- the retrofitting of trailers built before that date; and
- truck tractors built on or after July 1,1997.

For more information on the Conspicuity Requirements check the internet at: http://www.fmcsa.dot.gov/pdfs/Consp.pdf

Part 395 Hours of Service of Drivers



Part 395

Hours of Service of Drivers

General rule

The hours of service rules apply to all motor carriers and drivers, with exceptions found in paragraphs (b) through (k) of Section 395.1.

On duty time

Means all time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. On duty time shall include:

- 1. All time at a plant, terminal, facility, or other property of a motor carrier or shipper, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier;
- 2. All time inspecting, servicing, or conditioning any commercial motor vehicle at any time;
- 3. All driving time as defined in the term *driving time*.
- 4. All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth;
- 5. All time loading or unloading a commercial motor vehicle, supervision, or assisting in the loading or unloading, attending a commercial motor vehicle being loaded or unloaded, remaining in readiness to operate the commercial motor vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
- 6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle;
- 7. All time spent providing a breath sample or urine specimen, including travel time to and from the collection site, in order to comply with the random, reasonable suspicion, post-accident, or follow-up testing required by part 382 when directed by a motor carrier;
- 8. Performing any other work in the capacity, employ, or service of a motor carrier; and
- 9. Performing any compensated work for a person who is not a motor carrier.

Driving Time

Means all time spent at the driving controls of a commercial motor vehicle in operation.

10-hour rule

Drivers are allowed to drive for ten hours following eight consecutive hours off duty.

15-hour rule

A motor carrier cannot permit or require a driver to drive after 15 hours are spent on duty following 8 consecutive hours off.

60 and 70 hour rules

A motor carrier must not permit or require a driver to drive after a total of

- 60 hours on duty in 7 consecutive days or;
- 70 hours on duty in 8 consecutive days
- If the driver works more than one job of any kind, that time must also be included as On Duty Time.

Driver's record of duty status

Every driver shall prepare a record of duty status (Driver's daily log) in his/her own handwriting for each 24-hour period, unless operating under the 100 air-mile radius exemption.

Failure to complete or retain the log, or knowingly falsifying logs or other reports, makes the driver and/or carrier liable to prosecution.

100 air-mile radius exemption

A driver is exempt from maintaining the driver's daily log requirements of Section 395.8 if all of the following is true:

- The driver operates within a 100 air-mile radius of the normal work reporting location.
- The driver returns to the work reporting location and is released from work within 12 consecutive hours.
- Each 12 hours on duty are separated by at least 8 consecutive hours of off duty.
- The driver does not exceed a maximum of ten hours driving time following eight consecutive hours off duty.
- The motor carrier that employs the driver maintains and retains for a period of six months accurate and true time records that show:
 - The total number of hours the driver is on duty each day
 - The time the driver reports for duty each day
 - The time the driver is released from duty each day
 - The total time for the preceding seven days for first-time or intermittent drivers

Submitting/ retaining duty status log

The driver must submit the original log sheet to the employing carrier within 13 days after completion. When a motor carrier uses a driver initially or intermittently, that carrier must obtain from him/her a signed statement giving the total time on duty during the immediately preceding 7 days and the time at which he/she was last relieved of duty. Records of duty status must be maintained for a minimum of six months at the carrier's principal place of business, with all supporting documents.

Automatic on-board recording devices

Alternatively, motor carriers may require a driver to use an *automatic on-board recording* device to record duty status. The driver must still have in his/her possession records of duty status in automated or written form, for the previous seven consecutive days. All hard copies of the driver's record of duty status must be signed by the driver.

FORM-MCS59-Prescribed by the U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION REV. 67

DRIVER'S DAILY LOG (ONE CALENDAR DAY - 24HOURS)

Form approved Budget Bureau No. 04-R2399
ORIGINAL - File each day at home terminal
DUPLICATE - Driver retains in his possession for one month

(1)																																		(3)	
(MONTH)	(DAY)		(Y)	EAR)	•			(TO	TAL	MILE	AGE	TODA	Ŋ	_						ertif erec	y thes	e ent	ries a	ure tr	ue a	nd				VE	HICLE	NUI	MBE	RS - (S	HOW E
						(2	2)																				(5)								
			(TOT	AL MI	LES	DRIN	VING	TOE	DAY)														(DF	NVE	R'S S	ign	ATUR	EIN	FULL	L)					
4)																											(8)								
		(1)	AME	OF C	ARR	IER (OR C	CARE	RIER	15)						_								(NA	ME	OF C	O-DF	RIVE	R)						
6)																																			
			(A	AAIN C	OFFK	CE A	ODF	RESS	5)														(H	OME	ETE	RMIN	AL A	DDR	ESS)						
	MID- NIGHT		1	2	3	4	ļ	5	6		7	8	9	10) 1	11 N	OON	1	2		3	4	5	6	;	7	8	9	1	0	11	77	ŀ	TOTAL	;
: OFF DUTY	'	1'	' '	1.1.	"	1'	'1'	"	1'	' '	'	' '	' '	1"	' '	' '	" "	" "	۱۰۱,	1,	' '	'	" "	"	' '	11	1		' '	[1]	' ' '	1		(9)	
SLEEPER	Γ	T	П	П	Π	П	Π	Π	П	П	П	77	111	Π	П	П	П	III		T	П	П	11	Ψ	П	П	T	П	П	П	111	T			
BERTH DRIVING	h	П	П	111	т	т	П	ф	П	П	П	ήη	1	Π	П	liji.	П	गीर	щ	П	П	П	ήη	\dagger	П	П	\mathbf{r}	П	Ш	П	ήη	ή :			
011 DI 277	 	'	<u> </u>	 	+	╁	, ,	Η,	╁	, 111	'	Ι.,	+	;	1	(17)	+		1	1	1	<u> </u>			1		-	1	1	1.	╣.			
: ON DUTY (Not driving	a) '	1'	۱,۱,	1.1.	Ί΄.	1'	,1,		Ш	١١.		ן' ן	.' '	1.1	١.	1,1,	1.1	Ϊ,	١.١.	١,	, 1,	, 1,	' '	Ή.	Ι.	1.	' '		۱۱,	, 1,	Д.Т.	1			
	MID- VIGHT	1	1	2	3	4	,	5	6		7	8	9	10) 1	11 N	OON	1	2		3	4	5	6	7	7	8	9	1	0	11				_
EMARKS .	П	П	П	Ш	ηТ	П	П	П	П	П	П	ПП	П	П	П	П	П	П	П	П	П	П	ПП	П	П	П	П	П	П	П	ηП	η			
	L	<u>ا</u>	<u> </u>	<u></u>				Ľ	1		Ľ	Ľ	丄		<u>'</u>	<u>L'</u>	<u> </u>		<u>' </u>	'		<u></u>	Ι'		•	'		'		<u>'</u>	1_	ِ ل			_
(7)																																			
(4.0)																																			
(10) hipping document	, manife	est n	umbe	er, or r	name	e of	a sh	iippe	er an	d co	mmod	dity. lı	nform	nation	req	uired	by Se	ection	ı 395.	8 (o)	L														
neck the time and	enter t	he n	ame	of pla	ce y	ou re	epor	ted a	and ·	whe	e rei	ease	d from	n wor	rk an	d wh	en an	d wh	ere e	ach	chang	ge of	duty	occu	irred	.Exp	nisk	exce	ss ho	ours ·	- Secti	ion :	395.8	B(o).	
																,				_															_
																	_	_																	
ROM:			(S	TART	ING	PO	TAIK	OR	PL	ACE)					-	10	0: .			(DES	TIN	ОПО	N O	RT	JRN	AR	OUN	ID P	OIN	TOR	PL	ACE)	_
												- -		~~~	ID 4 '	DO 4	T 111^		TER														٠		
											US	E 1 11	mE :) IAN	IJAI	HU A	. HO	/mE	EKI	m IIV	ML														

Each item required to be entered on the Driver's Record of Duty Status is listed below, followed by a cryptic explanation of when the information should be recorded.

- (1) Date Entered when the driver first comes on duty.
- (2) Total miles driving today Entered at the end of the driver's work day.
- (3) Truck or tractor and trailer number Entered just prior to operating the vehicle.
- (4) Name of carrier Entered when the driver first comes on duty. The name of the motor carrier may be preprinted.
- (5) Driver's signature/certification Entered at the end of the driver's work day.
- (6) Main office address Entered when the driver first comes on duty. The address of the motor carrier may be preprinted.
- (7) Remarks Entered whenever an event occurs that requires an entry in the remarks section. (Tire check emergency condition)
- (8) Name of co-driver Entered when the co-driver is known (prior to the commencement of driving operations).
- (9) Total hours Computed and entered at the end of the driver's work day.
- (10) Shipping document number(s), or name of shipper and commodity Entered at the time the trip is assigned to the driver (when loaded).
- (11) 24 hour period describing duty status.

Note: All supporting documents including toll tickets, fuel receipts, scale tickets, etc. must be maintained with duty status records for six months in accordance with 395.8(k)(i).

DAILY HOURS OF SERVICE & VEHICLE CONDITION REPORT

2.1 3.1 DO P DO P MUS MUS	1. Ilme you report for work 2. Time you end work each 3. The total hours worked e DO NOT WORK MORE THAN DO NOT DRIVE MORE THAN MUST BE "OFF DUTY" at lea BETWEEN WORK PERIODS. MUST RECORD "OFF DUTY"	report it end wor hours we hours we wor ak MORE VE MORE FF DUTY ORK PEI RD "ORK PEI RD "OFF	1. Time you report for work each day 2. Time you end work each day 3. The total hours worked each day. *DO NOT WORK MORE THAN 12 HOURS IN ONE DAY. *DO NOT BRIVE MORE THAN 10 HOURS IN ONE DAY. *MUST BE "OFF DUTY" at least 8 CONSECUTIVE HOU BETWEEN WORK PERIODS. *MUST RECORD "OFF DUTY" DAYS AS "OFF DUTY".	day. HOURS I CONSE(IN O CUTION OFF	NE DAY. NE DAY. IVE HOURS DUTY".	if venicle is deficient show # in column below: 0 - NO DEFECTS FOUND 1 - Service Brakes 2 - Parking Brakes 3 - Steering Mechanisms 4 - Lighting Devices & Reflectors 5 - Tires 6 - Horn		7 - Windshield Wipers 8 - Rear vision Mirrors 9 - Coupling Devices 10 - Wheels & Rims 11 - Emergency Equipment
	¥	OURS OF S	HOURS OF SERVICE (395.1E)	E)		VEHICLE CONDITION REPORT	VEH	VEHICLE CONDITION REPORT (396.11) SIGNATURES REQUIRED	96.11)
DATE	START	END	TOTAL HRS.	TIN#	#	EXPLANATION OF DEFECTS	DRIVER'S SIGNATURE	REPAIRMAN'S SIGNATURE	NEXT TRIP DRIVER'S SIGNATURE
-	••	••							
2	••	••			<u></u>				
3	••	••							
4	••	••							
5	••	••							
9	••	••							
7	••	••							
∞	••	••							
တ	••	••							
9	••	••							
=	••	••							
12	••	••							
13	••	••							

Over

VEHICLE CONDITION REPORT (396.11) SIGNATURES REQUIRED	REPAIRMAN'S NEXT TRIP SIGNATURE DRIVER'S SIGNATURE											•							
VEHICLE CONDII SIGNATUF	DRIVER'S REPA SIGNATURE SIG																		
VEHICLE CONDITION REPORT	EXPLANATION OF DEFECTS																		
	# LIND #																		
HOURS OF SERVICE (395.1E)	TOTAL UI																		
URS OF S	END	••	••	••	••	••	••	••	••	••	••	••	••	••	••	••	••	••	
¥	START	••	••	••	••	••	••	••	••	••	••	••	••	••	••	••	••	••	
	DATE	41	15	16	17	18	19	20	21	22	23	24	52	56	27	78	53	30	

Daily Hours of Service

Employee Name/#		Month/Year	

Each day provide the following information:

- 1. Time you report for work each day
- 2. Time you left work each day
- 3. The total hours worked each day. (See Title 49 CFR, Part 395.1(e))

*DO NOT WORK MORE THAN 12 HOURS IN ONE DAY.
*DO NOT DRIVE MORE THAN 10 HOURS IN ONE DAY.
*YOU MUST BE "OFF DUTY" 8 CONSECUTIVE HOURS
BETWEEN WORK PERIODS.

HOURS OF SERVICE (395.1e)		5.1 e)	201115150		
DATE	START	END	TOTAL	UNIT #	COMMENTS
1	:	:			
2	•	•	٠.		
3	•	•			
4	•	•			
5	•	•			
6	•	•			
7	:	•			
8		•			
9	:	:			
10	:	:			
11	:	•			
12	:	•			
13	:				
14	:	•			
15	:	•			
16	•	:			
17	:	:			
18	:	:			
19	:	•			
20	:	•			
21	:	•			
22	:	:			
23	:	:			
24	:	:			
25	:	:			
26	:	:			
27	:	:			
28	:	:			
29	:	:			· · · · · · · · · · · · · · · · · · ·
30	:	:			
31	:				

HOURS-OF-SERVICE RECORD FOR THE FIRST TIME OR INTERMITTENT DRIVERS

Instructions: When using a driver for the first time or intermittently, a signed statement must be obtained, giving the total time on duty (driving and on duty) during the immediate preceding seven days and the time at which the driver was last relieved from duty prior to beginning work.

Name (Print)			
	First	Middle	Last
	DAY	TOTAL TIME ON D	UTY
	1		
	2		
	3		
	4	***************************************	
	5		
	6		
	7		
	TO	ΓAL	
I hereby certify	that the info	ormation contained h	ereon is true to the best of my
knowledge and	belief, and t	hat my last period o	of release from duty was from
	our/Date)	to	(Hour/Date)
(II)	um/Date)		(Hour/Date)
Signature			Date

Part 396 Inspection, Repair, and Maintenance



Part 396

Inspection, Repair, and Maintenance

Every motor carrier, its officers, drivers, agents, representatives, and employees directly concerned with inspection or maintenance of commercial motor vehicles must comply and be conversant with these rules.

General requirements

Every carrier shall systematically inspect, repair, and maintain all commercial motor vehicles under its control.

Record keeping requirements

Motor carriers must maintain the following information for every vehicle that they have controlled for 30 days or more:

- Identifying information, including company number, make, serial number, year, and tire size
- A schedule of inspections to be performed, including type and due date
- Inspection, repair, and maintenance records
- Records of tests conducted on buses with pushout windows, emergency doors, and marking lights.

These records must be retained for one year at the location where the vehicle is garaged, and maintained for six months after the vehicle leaves the carrier's control (via sale, trade-in, or scrap).

Roadside inspection reports

Any driver who receives a roadside inspection report must deliver it to the motor carrier.

Certification of roadside inspection reports

An official of the motor carrier is to examine the roadside inspection report and ensure that any violations or defects noted on the report are corrected. Within 15 days after the inspection, the carrier must sign the completed roadside inspection report to certify that all violations have been corrected, and then return it to the indicated address. A copy must be retained for 12 months from the date of inspection.

POWER UNIT INSPECTION AND MAINTENANCE RECORD

MAKE				YE	AR	MODEL	SERIAL NO	
NO. OF TIRES SIZES		i	PLY RATII	NG (CO. UNIT NO			
MONTH DAY YEAR MILEAGE		LUB	OIL	REPAIRS	AND OTHER SERVICES	THER SERVICES COST		
								
	., i							
	N	IATUR				INSPECTION TO BE PERFO	IS/MAINTENANCE DRMED	
DATE				NEX	T INSPEC	TION AND MAINTENAN	CE OPERATION	
							· · · · · · · · · · · · · · · · · · ·	
	_							
	1							

SEMI-TRAILER, TRAILER INSPECTION AND MAINTENANCE RECORD

MAKE				YEAR	MODEL	9	SERIAL NO		
NO. OF TIF	RES	SIZ	ZES	PLY RAT	ING	CO. UNIT NO.			
IF LEASED	F LEASED, NAME OF LEASOR								
(X = O.K.; A = Adjustment Made; R = Repairs Made; RP = Replacement Made.)									
MONTH	DAY	YEAR	LIGHTS AND REFLECTORS	WHEELS & TIRES	RUNNING GEAR & UNDERCARRIAGE	BRAKE SYSTEM	HOSES, TUBING	BODY, ETC.	COST
					•				
								l	

NATURE & DUE DATE OF INSPECTIONS/MAINTENANCE OPERATIONS TO BE PERFORMED

DATE	NEXT INSPECTION AND MAINTENANCE OPERATION					

Post-trip inspection report

Every carrier must require its drivers to prepare a daily written post-trip inspection report at the end of each driving day. Every driver is responsible for preparing such a report for each vehicle driven. This report must cover *at least* the following parts and accessories:

- Service brakes (including trailer brake connections)
- · Parking (hand) brake
- Steering mechanism
- Lighting devices and reflectors
- Tires
- Horn
- · Windshield wipers
- Rearview mirrors
- Coupling devices
- Wheels and rims
- Emergency equipment.

The report must list any condition that the driver either found or had reported to him/her that would affect safety of operation or cause a breakdown. If no defect or deficiency is reported or found, the report should state this. The driver must sign the report in all cases. Before dispatching the vehicle again, a carrier shall ensure that a certification has been made as to any defect or deficiency that they have been corrected, or state those deficiencies that do not require immediate correction. Carriers must keep the original post-trip inspection report and the certification of repairs for at least three months from the date of preparation.

Before starting out, the driver must be satisfied that the motor vehicle is in safe operating condition. If the last vehicle inspection report notes any deficiencies, the driver must review and sign to acknowledge that necessary repairs have been completed. The report does not have to carried on the vehicle.

EXCEPTIONS: The Post Trip Inspection Report shall not apply to a private motor carrier of passengers (nonbusiness), a driveaway-towaway operation, or any motor carrier operating only one commercial motor vehicle.

Periodic inspection

Every commercial vehicle, including each segment of a combination vehicle requires periodic inspection that must be performed at least once every 12 months. At a minimum, inspections must include all items enumerated in the Minimum Periodic Inspection Standards, Appendix G to Subchapter B. Carriers may perform required annual inspections themselves. The original or a copy of the periodic inspection report must be retained by the motor carrier for 14 months from the report date.

DRIVER'S VEHICLE CONDITION REPORT

		beginning mileage			
TRACTOR DATE		Ending Mileage			
✓ CHECK ANY DE	FE	FECTS NOTED BELOW			
PARKING (HAND) BRAKE	T	WHEELS AND RIMS			
STEERING MECHANISM	7	EMERGENCY EQUIPMENT			
LIGHTS AND REFLECTORS	\top	ENGINE			
TIRES		TRANSMISSION			
HORN	\neg	CLUTCH			
WINDSHIELD WIPERS	T	EXHAUST			
REAR VIEW MIRRORS	\top	BRAKES			
COUPLING DEVICES	T	COOLING AND OIL PRESSURE			
EXPLAIN IN DETAIL ANY DEFE	ECT	S CHECKED (TRACTOR ONLY)			
_					
IF NO DEFECTS - WRITE "NONE"					
EXPLAIN IN DETAIL	AN'	Y TRAILER DEFECTS			
TRAILER NO.	T	TRAILER NO.			
	-				
	Т				
	T				
	T				
	\top				
I HAVE INSPECTED THE ABOVE UNIT AN	D	DRIVER'S SIGNATURE	DATE		
REPORTED ALL DEFECTS KNOWN TO ME.					
I HAVE REVIEWED THE PREVIOUS REPOR	τĪ	NEXT TRIP DRIVER'S SIGNATURE	DATE		
NEEDED REPAIRS OF SAFETY DEFECTS O					
THIS TRACTOR HAVE BEEN MADE.	٦				
I HAVE MADE ALL NEEDED REPAIRS OF TH	Ε	REPAIRMAN'S SIGNATURE	DATE		
DEFECTS REPORTED ON THIS UNIT.	\neg				

TIME RECORD AND VEHICLE CONDITION REPORT

DRIVER	TOTAL HOURS	DRIVER	TOTAL HOURS
TIME OUT TH	ME RETURNED	_ TIME OUT TI	ME RETURNED
	Beginning Mileage		Beginning Mileage
TRACTOR DATE	Ending Mileage	TRACTOR DATE	Ending Mileage
✓ CHECK ANY DE	FECTS NOTED BELOW	✓ CHECK ANY DE	FECTS NOTED BELOW
PARKING (HAND) BRAKE	WHEELS AND RIMS	PARKING (HAND) BRAKE	WHEELS AND RIMS
STEERING MECHANISM	EMERGENCY EQUIPMENT	STEERING MECHANISM	EMERGENCY EQUIPMENT
LIGHTS AND REFLECTORS	ENGINE	LIGHTS AND REFLECTORS	ENGINE
TIRES	TRANSMISSION	TIRES	TRANSMISSION
HORN	CLUTCH	HORN	CLUTCH
WINDSHIELD WIPERS	EXHAUST	WINDSHIELD WIPERS	EXHAUST
REAR VIEW MIRRORS COUPLING DEVICES	BRAKES COOLING AND OIL PRESSURE	REAR VIEW MIRRORS COUPLING DEVICES	BRAKES
	CTS CHECKED (TRACTOR ONLY)		COOLING AND OIL PRESSURE ECTS CHECKED (TRACTOR ONLY)
EXPERIT IN DETAIL ANT DETE	OTO CHECKED (THACTON CHET)	LAT CAIN IN DETAIL ANT DET	COTO CITEORED (THAOTOTI CITET)
IF NO DEFECTS - WRITE "NONE"		IF NO DEFECTS - WRITE "NONE"	
	NY TRAILER DEFECTS		ANY TRAILER DEFECTS
TRAILER NO.	TRAILER NO.	TRAILER NO.	TRAILER NO.
		 	
I HAVE INSPECTED THE ABOVE UNIT AND	DRIVER'S SIGNATURE DATE	I HAVE INSPECTED THE ABOVE UNIT AND	DRIVER'S SIGNATURE DATE
REPORTED ALL DEFECTS KNOWN TO ME.	DAIL DAIL	REPORTED ALL DEFECTS KNOWN TO ME.	- State of data of the
I HAVE REVIEWED THE PREVIOUS REPORT	NEXT TRIP DRIVER'S SIGNATURE DATE		NEXT TRIP DRIVER'S SIGNATURE DATE
NEEDED REPAIRS OF SAFETY DEFECTS ON		NEEDED REPAIRS OF SAFETY DEFECTS ON THIS TRACTOR HAVE BEEN MADE.	
THIS TRACTOR HAVE BEEN MADE. I HAVE MADE ALL NEEDED REPAIRS OF THE	REPAIRMAN'S SIGNATURE DATE		REPAIRMAN'S SIGNATURE DATE
DEFECTS REPORTED ON THIS UNIT.		DEFECTS REPORTED ON THIS UNIT.	
DRIVER	TOTAL HOURS	_ DRIVER	TOTAL HOURS
TIME OUT TII	ME RETURNED	_ TIME OUT TI	ME RETURNED
	Beginning Mileage	_	Beginning Mileage
TRACTOR DATE	Ending Mileage	TRACTOR DATE	Ending Mileage
	FECTS NOTED BELOW		FECTS NOTED BELOW
PARKING (HAND) BRAKE	WHEELS AND RIMS	PARKING (HAND) BRAKE	WHEELS AND RIMS
STEERING MECHANISM	EMERGENCY EQUIPMENT	STEERING MECHANISM	EMERGENCY EQUIPMENT
LIGHTS AND REFLECTORS	ENGINE	LIGHTS AND REFLECTORS	ENGINE
TIRES	TRANSMISSION	TIRES	TRANSMISSION
HORN	CLUTCH	HORN	СLUТСН
WINDSHIELD WIPERS	EXHAUST	WINDSHIELD WIPERS	EXHAUST
REAR VIEW MIRRORS	BRAKES	REAR VIEW MIRRORS	BRAKES
COUPLING DEVICES	COOLING AND OIL PRESSURE	COUPLING DEVICES	COOLING AND OIL PRESSURE
EXPLAIN IN DETAIL ANY DEFE	CTS CHECKED (TRACTOR ONLY)	EXPLAIN IN DETAIL ANY DEF	ECTS CHECKED (TRACTOR ONLY)
IF NO DEFECTS - WRITE "NONE"		IF NO DEFECTS - WRITE "NONE"	
EXPLAIN IN DETAIL A	NY TRAILER DEFECTS	EXPLAIN IN DETAIL	ANY TRAILER DEFECTS
TRAILER NO	TRAILER NO	TRAILER NO	TRAILER NO
		 	
		 	
LUNG MODEOTED THE LOCKE LINE	DONESTIC CICALATURE	L HAVE INCOCCES THE ADOLE HAVE AND	D DRIVER'S SIGNATURE DATE
REPORTED ALL DEFECTS KNOWN TO ME.	DRIVER'S SIGNATURE DATE	I HAVE INSPECTED THE ABOVE UNIT AND REPORTED ALL DEFECTS KNOWN TO ME.	D DRIVER'S SIGNATURE DATE
I HAVE REVIEWED THE PREVIOUS REPORT	NEXT TRIP DRIVER'S SIGNATURE DATE	I HAVE REVIEWED THE PREVIOUS REPORT	NEXT TRIP DRIVER'S SIGNATURE DATE
NEEDED REPAIRS OF SAFETY DEFECTS ON]	NEEDED REPAIRS OF SAFETY DEFECTS ON	
THIS TRACTOR HAVE BEEN MADE.	PEDMONANIO OICHI PETO	THIS TRACTOR HAVE BEEN MADE.	DEDAUDIMANIC CICHATI IDS
I HAVE MADE ALL NEEDED REPAIRS OF THE DEFECTS REPORTED ON THIS UNIT.	REPAIRMAN'S SIGNATURE DATE	I HAVE MADE ALL NEEDED REPAIRS OF THE DEFECTS REPORTED ON THIS UNIT.	REPAIRMAN'S SIGNATURE DATE
DELECTO REPORTED UN TRIS UNIT.	<u> </u>	DELEGISTICIONICO ON INISONII.	

Documentation of inspection

Documentation (report, sticker, or decal) of the most recent periodic inspection must be kept on the vehicle.

Inspector qualification

Motor carriers must ensure that persons performing annual inspections are qualified. Inspectors must:

- understand the inspection standards of Part 393 and Appendix G
- be able to identify defective components
- have knowledge and proficiency in methods, procedures, and tools.

Inspector training or experience

Inspectors may have gained experience or training by:

- completing a State or Federal training program, or earning a State or Canadian Province qualifying certificate in commercial motor vehicle safety inspections
- a combination of other training or experience totaling at least a year.

Evidence of qualifications

Motor carriers must retain evidence of an inspector's qualifications until one year after the inspector ceases to perform inspections for the carrier.

Equivalent to periodic inspection

The motor carrier may meet periodic inspection requirements through:

- State or other jurisdiction's roadside inspection program;
- Self-inspection by qualified employee; or
- Third party inspection by qualified individual.

Brake inspector qualification

The motor carrier is responsible for ensuring that all inspections, maintenance, repairs, and service to brakes of commercial motor vehicles comply with these regulations. The carrier must ensure that the employees responsible for brake inspection, maintenance, service, or repairs meet minimum brake inspector qualifications.

Qualifications for brake inspectors

The brake inspector must:

- understand and be able to perform the brake service and inspection.
- know the methods, procedures, tools and equipment needed and
- be qualified to perform brake service or inspection by training and/or experience.

Qualifying brake training or experience

Qualifying brake training or experience includes successful completion of:

- a State, Canadian Province, Federal agency, or union training program,
- a State-approved training program,
- training that led to attainment of a State or Canadian Province qualifying certificate to perform assigned brake service or inspection tasks, including passage of CDL air brake test in the case of a brake inspection, or
- one year of brake-related training, experience, or combination of both.

Maintaining evidence of brake inspector qualifications

Motor carriers must maintain evidence of brake inspector qualification at the principal place of business or the location where the inspector works. Evidence must be retained for the period during which the brake inspector is employed in that capacity, and for one year thereafter.

FEDERAL ANNUAL VEHICLE INSPECTION REPORT

VEHICLE HISTORY RECORD						
REPORT FLEET UNIT NUMBER						

,		·			
REGISTERED VEHICLE OWNER - NAME		DATE	TIME		
STREET		QUALIFIED INSPECTOR'S NAME (PRINT OR	TYPE)	ID NUMBER	
			·		
CITY, STATE, ZIP CODE					
MOTOR CARRIER OPERATOR, IF OTHER TH	AN OWNER	LOCATION OF INSPECTION			
STREET		STREET			
CITY, STATE, ZIP CODE		CITY, STATE, ZIP CODE			
	· ·				
LICENSE PLATE NUMBER/STATE	VEHICLE IDENTIFICATION NUMBER	VEHICLE MAKE VEHICLE MODEL		MODEL YEAR	
•				1	
		· · · · · · · · · · · · · · · · · · ·			

	VEHICLE COMPONENTS INSPECTED										
ОК	NEEDS REPAIR	REPAIRED DATE	ITEM	ОК	NEEDS REPAIR	REPAIRED DATE	ITEM	ОК	NEEDS REPAIR	REPAIRED DATE	ITEM
П			1. BRAKE SYSTEM	Ī			4. FUEL SYSTEM				9. FRAME
Ш			a. Service Brakes	L			a. Visible leak				a. Frame Members
Ш			b. Parking Brake System	L			b. Fuel tank filter cap missing				b. Tire and Wheel Clearance
\Box			c. Brake Drums or Rotors				c. Fuel tank securely attached				c. Adjustable Axle Assemblies
			d. Brake Hose				5. LIGHTING DEVICES				(Sliding Subframes)
			e. Brake Tubing	L			All lighting devices and reflectors				10. TIRES
Ш			f. Low Pressure Warning Device	1			required by Section 393 shall be				a. Tires on any steering axie of a
Ш			g. Tractor Protection Valve	L			operable.				power unit.
$oxed{oxed}$			h. Air Compressor				6. SAFE LOADING				b. All other tires
Ш			i. Electric Brakes	L			a. Part(s) of vehicle or condition of				11. WHEELS AND RIMS
Ш			j. Hydraulic Brakes				loading such that the spare tire or				a. Lock or Slide Ring
oxdot			k. Vacuum Systems				any part of the load or dunnage can				b. Wheels and Rims
			2. COUPLING DEVICES	1			fall onto the roadway.				c. Fasteners
Ш			a. Fifth Wheels	L			b. Protection against shifting cargo				d. Welds
Ш			b. Pintle Hooks				7. STEERING MECHANISM				12. WINDSHIELD GLAZING
Ш			c. Drawbar/Towbar Eye				a. Steering Wheel Free Play				Requirements and exceptions as
			d. Drawbar/towbar Tongue				b. Steering Column				stated pertaining to any crack, discol-
			e. Safety Devices				c. Front Axle Beam and All Steering				oration or vision reducing matter (ref-
			f. Saddle-Mounts				Components Other Than Steering				erence 393.60 for exceptions)
			3. EXHAUST SYSTEM	L			Column				
			a. Any exhaust system determined to	L			d. Steering Gear Box				13. WINDSHIELD WIPERS
			be leaking at a point forward of or				e. Pitman Arm	<u> </u>			Any power unit that has an inopera-
			directly below the driver/sleeper	L			f. Power Steering				tive wiper, or missing or damaged
			compartment.				g. Ball and Socket Joints				parts that render it ineffective.
			b. A bus exhaust system leaking or dis-				h. Tie Rods and Drag Links				List any other condition which may pre-
			charging to the atmosphere in viola-				i. Nuts		l		vent safe operation of this vehicle.
			tion of standards (1), (2) or (3).	L			j. Steering system		l		
Ш			c. No part of the exhaust system of any				8. SUSPENSION		1		
			motor vehicle shall be so located as				a. Any U-bolt(s), spring hanger(s), or other				
			would be likely to result in burning,	l			axee positioning part(s) cracked, bro-				
			charring, or damaging the electrical				ken, loose or missing resulting in shift-				
			wiring, the fuel supply or any com-				ing of an axie from its normal position.				
			bustible part of the motor vehicle.				b. Spring Assembly			-	
							c. Torque. Radius or Tracking			1	
							Components.	L	<u> </u>		
INST	ISTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: X OK, X NEEDS REPAIR, NA IF ITEMS DO NOT APPLY. REPAIRED DATE										

INSTRUCTIONS: MARK COLUMN ENTRIES TO VERIFY INSPECTION: X OK, X NEEDS REPAIR, NA IF ITEMS DO NOT APPLY. REPAIRED DATE

I CERTIFY THE ANNUAL VEHICLE INSPECTION HAS BEEN DONE ACCURATELY. THE COMPLETENESS OF THE INSPECTION COMPLIES WITH ALL THE REQUIREMENTS OF PART 396.

QUALIFIED INSPECTOR'S SIGNATURE	DATE

PART 396. APPENDIX G TO SUBCHAPTER B MINIMUM PERIODIC INSPECTION STANDARDS

- A vehicle does not pass an inspection if it has one of the following defects or deficiencies:
- 1. Brake System.
- a. Service Brakes.-(1) Absence of braking action on any axie required to have brakes upon applica-tion of the service brakes (such as missing brake or brake shoe(s) failing to move upon application of a wedge. S-cam, cam or disc brake).
- of a wedge, S-carr, cam or osc braue; (2) Missing or broken mechanical components including: shoes, lining, pads, springs, anchor pins, spiders, cam rollers, push-rods, and air
- pins, spiders, cam rollers, push-rods, and air chamber mounting bobs.

 (3) Loose brake components including air cham-bers, spiders, and cam shall support brackets.

 (4) Aucibie ar loak at brake chamber (Example-ruptured disphragm, loose chamber clamp, etc.).

 (5) Readjustment limits. The maximum stroke at which brakes should be readjusted is given below. Any brake Vr or more past the readjustment limit or any two brakes less than Vr beyond the read-justment limit shall be cause for rejection. Stroke shall be measured with engine off and reservoir ensures of 80 to 90 six with Paukes fully applied. of 80 to 90 psi with brakes fully applied.

BOLTTYPE BRAKE CHAMBER DATA

Туре	Effective area (sq. in.)	Outside dia. (in.)	Maximum stroke at which brakes should be readjusted
A	12	6 1%	1 %
В	24	9%	1 %
C	16	8 X4	1 %
D	6	5 X	1 %
€	9	6 %	1 %
F	36	11	2 X
G	30	9%	2

ROTOCHAMBER DATA

Туре	Effective area (sq. in.)	Outside dia. (in.)	Maximum stroke at which brakes should be readjusted
9	9	4 %	1 %
12	12	4 %	1 %
16	16	5 % -	2
20	20	5 %	2
24		6%-	2
30 36	24 30 36 50	7 X	2 ×
36	36	7%	2 %
50	50	8%	3

CLAMP TYPE BRAKE CHAMBER DATA

Туре	Effective area (sq. in.)	Outside dia. (in.)	Maximum stroke at which brakes should be readjusted
5	6 9	4 % 5 %	1 % 1 %
12	12	5 1%	1 %
16	16	6%	1 %
20	20	6 %	1 %
24	24	71/20	*1%
30	30 36	8 35	2
36	36	9	2 X

- * (2"for long stroke design).
- Wedge Brake Data-Movement of the scribe mark on the lining shall not exceed K-inch. (5) Brake linings or pads. (a) Lining or pad is not firmly attached to the
- shoe;

 (b) Saturated with oil, grease, or brake fluid; or (c) Non-steering artes. Lining with a thickness sets than Kinnt at the stone center for air drum brakes, Xi inch or less at the shoe center for hydraxics and electric drum brakes, and less than Xinch for air disc brakes.

 (d) Steering arties: Lining with a third-man Xinch or air.
- Xinch for air disc brains,

 (d) Steering addest. Lining with a thickness less
 than Xinch at the shoe center for drum brakes,
 less than Xinch for air disc brakes and Xinch or
 less for hydratic disc and electric brakes.

 (7) Missing brake on any axie required to have
- orakes. (8) Mismatch across any power unit steering axie
- (a) Air chamber sizes (b) Slack adjuster ien
- (b) Stack adjuster length. b. Parking Brake System b. Parking Brates System. No brakes on the vehicle or combination are applied upon actuation of the parking brake control, including driveline hand controlled parking brakes.
 c. Brake Drums or Rotors.
 (1) With any external cracks or cracks that open upon brake application (do not confuse short hairline heat check cracks with flexural cracks.)
 (2) Any portion of the drum or rotor missing or in denore of billing ware. 7. No brakes on the vehi

- anger of falling away. d. Brake Hose
- d. Brake Hose (1) Hose with any damage extending through the outer reinforcement pt; (Rubber impregnated tabric cover is not a reinforcement pt); (Thermoplastic nylon may have braid serinforcement or color differ-ence between cover and inner tube. Exposure of second color is cause for rejection. (2) Bulge or swelling when air pressure is applied.
- (3) Any audible leaks.
- hoses improperly joined (such as a splice

- made by stiding the hose ends over a piece of tubing and clamping the hose to the tube). (5) Air hose cracked, broken or crimped.
- e. Brake Tubing. (1) Any audible leak
- (2) Tubing cracked, da
- 1. Low Pressure Warning Device missing, income ative, or does not operate at 55 ps; and below, or % the governor cut-out pressure, whichever is less. g. Tractor Protection Valve. Inoperable or missing
- tractor protection valve(s) on power unit.
- h. Air Compressor.

 (1) Compressor drive belts in condition of impending or probable failure.
- (2) Loose compressor mounting boits
- (3) Cracked, broken or loose pulley.
 (4) Cracked or broken mounting brackets, braces
- Flactric Rrokes
- (1) Absence of braking action on any wheel required to have brakes.
 (2) Missing or inoperable breakaway braking
- servou. j. Hydraulic Brakes. (Including Power Assist Ov Hydraulic and Engine Drive Hydraulic Booster). (1) Master cylinder less than Xtull.
- (2) No pedal reserve with engine running except
- by pumping pedal. (3) Power assist unit fails to operate. (4) Seeping or swelling brake hose(s) under appli-
- r pressure. ssing or inoperative check valve.
- (5) Missing or inoperative check valve.
 (6) Has any visually observed leaking hydrautic fluid in the brake system.
 (7) Has hydrautic hose(s) abraded (challed) through outer cover-to-tabric layer.
 (8) Fluid lines or connections leaking, restricted,
- crimped, cracked or broken.
 (9) Brake failure or low fluid warning light on
- or incoerative.
- artico apparative.

 (1) Has insufficient vacuum reserve to permit one full brake application after engine is stur off.

 (2) Has vacuum hose(s) or line(s) restricted.
- abraded (chaled) through outer cover to cord ply, crimped, cracked, broken or has collapse of vacu-
- crimped, cracked, broken or has coli um hose(s) when vacuum is applied. (3) Lacks an operative low-vacu device as required. 2. Coupling devices. a. Fifth Wheels.

- (1) Mounting to frame.
- fasteners missing or ineffective, movement between mounting compo
- verits.

 (c) Any mounting angle iron cracked or broke
 (2) Mounting plates and pixot brackets.

 (a) Any fasteners missing or ineffective.
 (b) Any welds or parent metal cracked.

 (c) More than % inch horizontal mover

- to tracket pin missing or not secured.

 (d) Pivot bracket pin missing or not secured.

 (3) Sliders.
- (a) Any latching fasteners missing or ineffective
 (b) Any fore or aft stop missing or not secure attached. vernent more than % inch between slider
- pracket and slider base.
 (d) Any slider component cracked in parent metal
- (4) Lower coupler.
 (a) Horizontal movement between the upper and over fifth wheel halves exceeds kinch.
 (b) Operating handle not in closed or locked posi-
- ion.

 (c) Kingpin not properly engaged.

 (d) Separation between upper and lower coupler allowing light to show through from side to side.

 (e) Cancis in the fifth wheel plate.

 Exemptions: Cracks in fifth wheel approach
- ramps and casting shrinkage cracks in the ribs of the body of a cast fifth wheel. (f) Locking mechanism parts missing, broken, or deformed to the extent the kingpin is not securely
- b. Pintle Hooks.
- b. Pritte Hooks. (1) Mourting to frame. (a) Any missing or ineflective fasteners (a fastener is not considered missing if there is an empty hole in the device but no corresponding hole in the frame or vice versa). (b) Mourting surface cracks extending from point of attachment (e.g., cracks in the frame at mount-int hold holes).

- ng bolt notes). (c) Loose mounting. (d) Frame cross member providing pintle hock attachment cracked.
- (2) Integrity
 (a) Cracks arrywhere in pintle hook assembly.
- (b) Any welded repairs to the pintle hook.

 (c) Any part of the horn section reduced by more than 20%.

- than 20%.
 (d) Latich insecure.
 c. Drawbar/Towbar Eye
 (1) Mounting
 (a) Any cracks in attachment wekls.
 (b) Any missing or ineffective fasteners.

- (b) Any part of the eye reduced by more than 20%.

- (a) Ineffective latching mechanism.
 (b) Missing or ineffective stop.
 (c) Movement of more than % inch beh
- nd housing. (d) Any leaking, air or hydraulic cylinders, hos r chambers (other than slight oil weeping non ith hydraulic seals).
- (a) Any cracks.
- rement of % inch between subtrame and trawbar at point of attachment. e. Safety Devices.
- (1) Safety devices missing.
 (2) Unattached or incapable of secure attach-
- (3) Chains and hooks
- (3) Chairs and nooks.
 (a) Worm to the extent of a measurable reduction in link cross section.
 (b) Improper repairs including welding, wire, small bolds, rope and tape,
 (4) Cable.
- (4) Cable.
 (a) Kinked or broken cable strands.
 (b) Improper clamps or clamping.
 1. Saddle-Mounts.
- (1) Method of attachment (a) Any missing or ineffective fasteners.
- (b) Loose mountings. (c) Any cracks or breaks in a stress or load bear-
- (C) Any cracus or creams at a success of the manner ing member.

 (d) Horizontal movement between upper and lower saddle-mount halves exceeds kinch.

 2. Exhaust System.

 2. Any exhaust system determined to be leaking at a point forward of or directly below the characterisener commanment.
- driver/sleeper compartment.
 b. A bus exhaust system leaking or discharging

- to the atmosphere:

 (1) Gasoline powered-excess of 6 inches forward of the rearmost part of the bus.

 (2) Other than gasoline powered-in excess of 15 inches forward of the rearmost part of the bus.

 (3) Other than gasoline powered-inovard of a door or window designed to be opened, (exception: Emergency exist).

 C. No part of the exhaust system of any motor whice shall be so located as would be likely to exist in burning chaming or damazing the elec-
- result in burning, charring, or damaging the elec-trical wiring, the fuel supply, or any combustible part of the motor vehicle.
- part of the motor vehicle.

 4. Fuel System.

 a. A fuel system with a visible leak at any point, b. A fuel tank filler cap missing.

 c. A fuel tank filler cap missing.

 c. A fuel tank not securely attached to the motor vehicle by reason of loose, broken or missing mounting bolts or bradients (some fuel tanks use springs or rubber bushings to permit movement).

 5. Lighting Devices All lighting devices and reflectors required by Section 393 shall be operable.

 6. Safe Loading.
- 6. Safe Loading. a. Part(s) of vehicle or condition of loading such
- that the spare tire or any part of the load or dun-nage can fall onto the roadway. b. Protection Against Shifting Cargo—Any vehicle without a front-end structure or equivalent device
- Steering Wheel Free Play (on vehicles equipped with power steering the engine must be

m	system
x. x.	4% 4% 5%
	×-

- b. Steering Column.
 (1) Any absence or looseness of U-bolt(s) or positioning part(s).
 (2) Worn, taulty or obviously repair welded uni-
- al joint(s).
- versal port(s).
 (3) Steering wheel not properly secured.
 c. Front Ade Beam and All Steering Components.
 Other Than Steering Column.

- Other Than Steering Column.

 (1) Any crack(s).
 (2) Any obvious welded repair(s).
 d. Steering Gear Box.
 (1) Any mounting bot(s) loose or missing.
 (2) Any crack(s) in gear box or mounting brackets.
 e. Pitman Arm. Any tooseness of the pirman arm on the steering gear output shaft.
 1. Power Steering. Auxiliary power assist cylinder loose.
- g. Ball and Socket Joints.
 (1) Any movement under steering load of a stud
- (2) Any motion, other than rotational, between any linkage member and its attachment point of more than %inch.
- more than Kinch.

 h. Tie Rods and Drag Links.

 (1) Loose clamp(s) or clamp bob(s) on the rods or drag links.

 (2) Any looseness in any threaded joint.

 i. Nuts. Nu(5) loose or missing on the tie rods, plann arm, drag link, steering arm or tie rod arm.

 Clampo Current. Ass. profileration or either advantage of the company of the rods.
- Steering System, Any modification or other condition that interferes with free movement of any
- (a) Any U-bolt(s), spring hanger(s), or other axie positioning part(s) cracked, broken, bose or misspositioning part(s) crack ng in shifting of an axle from its normal osition. (After a turn, lateral axie displacement is normal with some suspensions. Forward or rear-vard operation in a straight line will cause the axie to return to alic

- (b) Spring Assembly. (1) Any leaves in a leaf spring assembly broken
- or missing.

 (2) Any broken main leaf in a leaf spring assembly, (includes assembly with more than one main

- spring).

 (3) Coil spring broken.

 (4) Rubber spring missing.

 (5) One or more leaves displaced in a manner that could result in contact with a tire, rim, brake
- (6) Broken torsion bar spring in a torsion bar sus-(7) Deflated air suspension, i.e., system failure,
- leak, etc. c. Torque, Pladius or Tracking Components. Any part of a torque, radius or tracking component assembly or any part used for attaching the same to the vehicle trame or adle that is cracked, loose, broken or missing, (Does not apply to loose bushings in torque or track rods.)

 9, Frame.

- Prame members.
 Any cracked, broken, loose, or sagging frame
- member.

 (2) Any loose or missing fasteners including fas-teners attaching functional component such as engine, transmission, steering gear, suspension, body parts and litth wheel.
- DODY pairs and little wheet.

 b. Tire and Wheel Clearance. Any condition, including loading, that causes the body or frame to be in contact with a tire or any part of the wheel proceedings.
- c. (1) Adjustable Axle Assemblies (Sliding Subframes). Adjustable axle assembly with lock-
- ng pins missing or not engaged. 10. Tires. a. Any tire on any steering axie of a power unit.
 (1) With less than % inch tread when measured
- (1) With less than Keinch tread when measured at any point on a major tread groove.

 (2) Has body ply or belt material exposed through the tread or sidewall.

 (3) Has any tread or sidewall separation.

 (4) Has a cut where the ply or belt material is
- (5) Labeled "Not for Highway Use" or displaying other marking which would exclude use on steer-
- ing axie.
 (6) A tube-type radial tire without radial tube stem markings. These markings include a red band around the tube stem, the word 'radial' embossed in metal stems, or the word 'radial' molded in rubber stems.
- stems, or the word "racial" molded in nubber stems.
 (7) Micing bias and racial tirres on the same ade.
 (8) The flap protrudes through valve slot in rim and touches stem.
 (9) Regrooved tire except motor vehicles used solely in urban or suburban service (see exception in 393.75(a))
 (10) Root histography raciting or other plu massir.
- n 393,75(a))
 (10) Boot, blowout patch or other ply repair.
 (11) Weight carried exceeds tire load limit. This includes overloaded tire resulting from low air
- (12) tire is flat or has noticeable (e.g. can be neard or felt) leak. (13) Any bus equipped with recapped or retread-
- ick trees).

 (14) So mounted or inflated that it comes in con-act with any part of the vehicle.

 b. All tires other than those found on the steering
- axie of a power unit. ight carried exceeds tire load limit. This overloaded tire resulting from low air
- pressure.
 (2) Tire is flat or has noticeable (e.g., can be
- react or feet) searc.

 (3) Has body ply or belt material exposed through the tread or sidewall.

 (4) Has any tread or sidewall separation.

 (5) Has a cut where ply or belt material is
- (6) So mounted or inflated that it comes in con-
- act with any part of the vehicle. (This includes a ire that contacts its mate.)
 (7) Is marked "Not for highway use" or otherwise
- marked and having like meaning.
 (8) With less than 1/2 inch tread when measured at any point on a major tread groove.
 11. Wheels and Rims.
- 11. Wheels and Paris.

 a. Lock or Side ring. Bent, broken, cracked, improperly seated, sprung or mismatched mig(s).

 b. Wheels and nims. Cracked or broken or has elongated bolt holes.
- elongated bolt holes. c. Fasteners (both spoke and disc wheels). Any loose, missing, broken, cracked, stripped or other-wise ineflective fasteners.
- (1) Any cracks in welds attaching disc wheel disc
- (2) Any crack in welds attaching tubeless ie rim to adapter (3) Any weided repair on aluminum wheel(s) on a
- (3) Any water steering axie.
 (4) Any welded repair other than disc to nm attachment on steel disc wheel(s) mounted on the attachment on amount of steering axie.

 12. Windshield Glazing. (Not including a 2 inches are acchisite and border at the top, a 1 inch border at each side and the area below the topmost portion of the steering wheel.) Any crack, discoloration or vision reducing matter except (1) coloring or triting applied at time of manufacturer; (2) any crack not over ½ inch time of manufacturer; (2) any crack not over a incr-vine, 2 not interested by any other crack; (3) any damaged area not more than % inch in diameter; in ot closer than 3 inches to any other such dam-aged area; (4) labels, stickers, decalcomania, etc. (see 393.60 for exceptions) 13. Windshield Wipers. Any power unit that has

- an inoperative wiper, or missing or damaged parts that render it ineffective.
- Companson of Appendix G, and the new North American Uniform Driver-Vehicle Inspection Procedure (North American Commercial Vehicle Critical Safety Inspection Items and Out-Of-Service Criteria)
- Service Criteria)

 The vehicle portion of the FHWA's North American Uniform Driver-Vehicle Inspection Procedure (NAUD-VIP) requirements CVSA's North American Commercial Whitiale Chical Safety Inspection Items and Out-Ol-Service Criteria and Appendix Go Subchapter 8 are similar documents and follow the same inspection procedures. The same items are required to be inspected by each document. FHWA's and CVSA's out-of-service criteria are intended to be used in random reading them are intended to be used in random reading a vehicles; and provide criteria by placing a vehicles; out-of-service. A vehicle(s) is placed out-of-service only when its mechanical condition or loading it is determined to be so mm.nereity hazardous as to only when its mechanical condition or loading it is determined to be so imminerity hazardous as to likely cause an accident or breakdown, or when such continion(s) would likely contribute to loss of control of the vehicle(s) by the driver. A certain amount of flexibility is given to the inspecting official whether to place the vehicle out-of-service at the inspection set or if it would be less hazardous to allow the vehicle to proceed to a repair facility for repair. The distance to the repair facility must not exceed 25 miles. The roadside type of inspection, however, does not necessarily mean that a vehicle has to be defect-free in order to continue in service.
- In contrast, the Appendix G inspection procedure requires that all items required to be inspected are in proper adjustment, are not defective and func-tion property prior to the vehicle being placed in

Differences Between the Out-of-Service Criteria & FHWA's Annual Inspection

- Brake System.
 Brake System.
 Bearing System.
 Bearing System are leaks, etc. The out-of-service criteria allows 20% delactive brakes on non-steering ardes and a certain aboute on air leaks.
- steering axies and a certain latitude on air leaks before placing a vehicle out-of-service.

 2. Coupling Devices. Appendix G rejectes with any fifth wheel mounting lastiener missing or ineffective. The out-of-service criteria allows up to 20% missing or ineffective bacteries on time mountings and prior bracket mountings and 25% on sider latiting lastieners. The out-of-service criteria also allows some latitude on cracked welds.

 3. Enhance System
- Exhaust System.
 Appendix G follows Section 393.83 verbatim. The

- Appendix G follows Section 393.83 verbatim. The CVSA out-of-service criteria allows verbatim. The cVSA out-of-service criteria allows verbated invariant of the dimensions given in Section 393.83 as long as the exhaust does not leak or enhaust under the chasis:

 4. Fuel System.

 Same for Appendix G and the out-of-service criteria.

 5. Lighting Devices.

 Appendix G requires all lighting devices required by Section 393 to be operative at all times. The out-of-service criteria only requires one stop light and functioning turn signals on the reasonate verbinant functioning turns signals on the reasonate verbinant signals. and functioning turn signals on the rearmost vehi-cle of a combination vehicle to be operative at all times. In addition one operative head lamp and tail
- p are required during the hours of dar Sale Loading.
 Same for both Appendix G and the out-of-service

- teering lash requirements of Appendix G fol-is the new requirements of §393.209. bows are new requirements of 93-32. The S. Suspension.

 Appendix G follows the new requirements of \$393.207 which does not allow any broken leaves in a least spring assembly. The out-of-service criteria allows up to 25% broken or missing leaves before being placed out-of-service.
- Denote being placed out-of-service.

 The out-of-service criteria allows a certain latitude in frame cracks before placing a vehicle out-of-service. Appendix G follows the new requirements of 393.201 which does not allow any frame cracks.
- 393.201 which does not allow any frame cracks.

 10. Tires.

 Appendix G follows the requirements of 393.75 which requires a tire tread depth of % inch on all other power unit steering axies and % inch on all other axies. The out-of-service criteria only requires %
- and % inch on all other axies.
- and ½ inch on all other axies.

 11. Whole and Rims

 The out-of-service criteria allows a certain
 amount latitude for wheel and rim cracks and
 missing or detective tasteners. Appendix G meets
 the requirements of the new 3932,05 which does
 not allow defective wheels and rims non-effective

inch tire tread death on power unit steering axies

- nuts and boits. 12. Windshield Glazing.
- The out-of-service criteria places in a restricted service condition any vehicle that has a crack or discoloration in the windshield area lying within the sweep of the wiper on the driver's side and does not address the remaining area of the wind-shield. Appendix G addresses requirements for the whole windshield as specified in 393,60.
- the whole windshield as specified in 393.60.

 13. Windshield Wipers.

 Appendix G requires windshield wipers to be above at all times. The out-of-service criteria requires that the windshield wiper on the driside to be inspected during inclement weather

Periodic Inspector Qualification CERTIFICATION

requirements in compliant in co	, hereby certify that I am knowledgeable in the ents for performing an annual vehicle inspection and I can identify defective components iance with the regulations of the U.S. Department of Transportation for annual vehicle ins contained in 49 CFR Part 396 Appendix G. I hereby agree to comply with all such its governing annual vehicle inspections.
A qualificapplicable	ed inspector must meet <u>one or more</u> of the following requirements. Please check those e.
	Successfully completed a state or federal sponsored training program which qualifies me to perform a commercial vehicle safety inspection.
	One year of training and/or experience in truck manufacturer of similar commercially sponsored training designed to train in truck operation and maintenance.
	One year experience as a mechanic or inspector in a motor carrier maintenance program.
· · · · · · · · · · · · · · · · · · ·	One year experience as a mechanic or inspector in truck maintenance at a commercial garage, fleet leasing company, or similar facility.
	One year experience as a commercial vehicle inspector for a state, provincial or federal government.
	Signature of Mechanic/Inspector
compliance	has requirements for a qualified inspector to perform the annual vehicle inspection in the with the regulations of the U.S. Department of Transportation for qualified inspectors
contained	in 49 CFR Part 396.19.
Dated this	s, 19
	Signature of Owner/Supervisor

Brake Inspector Qualification CERTIFICATION

1,	····	, h	ereby certify	that I am	knowledgeable and
	- ,			-	sk and I can identify J.S. Department of
	•	-	_		396 Appendix G. I
-		•			ervice and inspection
tasks.	ompry with an such	ii regulations go	verming the uni	idai braic s	a vice and inspection
tasks.					
A qualified insperapplicable.	ector must meet on	ne or more of the	ne föllowing re	quirements.	Please check those
Has su	accessfully complete	ed an apprentice	eship program	sponsored by	y a State, Canadian
Provinc	ce, Federal Agency	or a labor union	l .		
Has su	accessfully complete	ed a training pro	gram approved	l by a state, f	ederal agency.
Has a	certificate from a S	tate or Canadian	n Province qual	ifying me to	perform the
assigne	d brake service or i	nspection task.	•		•
Have b	orake related training	ng or experience	or a combinati	ion totaling	at least one year.
•	may consist of:				
	_		•		cle manufacturer or
sin	nilar commercial tr	aining program	designed to tra	in students i	n brake maintenance
or	inspection similar t	o the assigned b	rake service or	inspection t	asks.
Ex	perience performin	g brake mainter	nance or inspec	tion similar	to the assigned brake
sei	rvice or inspection t	task in a motor o	carrier mainten	ance prograr	n.
Ex	perience performin	g brake mainter	nance or inspec	tion similar	to the assigned brake
	rvice or inspection t	•	-		
	cility.		2 2 ,	J	1 3
	passed the air brake	knowledge and	skills test for a	Commercia	al Driver's License.
		Z			
	Signature	of Brake Inspec	ctor		
I,		, hereby	certify that		
has met the requi	rements for a quali	fied inspector to	perform the b	rake service	or inspection task in
compliance with	the regulations of	the U.S. Depart	ment of Transp	portation for	qualified inspectors
contained in 49 C	FR Part 396.25				
Doto d thi-	dov. of	1	0		
Dated this	day of	, 1	۶		
	Signature o	of Owner/Super	visor		

Transportation of Hazardous Materials



Transportation of Hazardous Materials

Do you transport hazardous materials?

Hazardous materials are any substance defined by the Secretary of Transportation as posing an unreasonable risk to health and safety or property. Most people recognize gasoline, propane, or dynamite as being hazardous materials, but did you know that common materials such as paint, nail polish remover, adhesives, cleaning compounds, hair spray, matches, and others may be classified as hazardous materials? It is important to know if you are transporting hazardous materials because violations of the Hazardous Materials Regulations (HMR) carry civil fines of up to \$27,500 and possible criminal penalties including up to five years in jail. Hazardous materials fall into one of the following basic classes and divisions:

Explosives 1.1	Non-Flammable Gas, 2.2	Organic Peroxide, 5.2
Explosives 1.2	Poison Gas, 2.3	Poison Liquid or Solid, 6.1
Explosives 1.3	Flammable & Combustible Liquids, 3	Infectious Substance, 6.2
Explosives 1.4	Flammable Solids, 4.1	Radioactive, 7
Explosives 1.5	Spontaneously Combustible, 4.2	Corrosive, 8
Explosives 1.6	Dangerous When Wet, 4.3	Miscellaneous, 9
Flammable Gas, 2.1	Oxidizer, 5.1	Consumer Commodities, ORM-D

To determine if a material you are transporting is hazardous, contact the shipper who provided the material or see the definitions of these materials in the hazardous materials regulations.

What do I need to do if I transport hazardous materials?

A motor carrier that transports a hazardous material, whether interstate or intrastate, must comply with the Federal Hazardous Materials Regulations, 49 CFR 100-180. These regulations include requirements including registration, training, shipping papers, labels, placards, and packages. In addition, there are additional requirements in the Federal Motor Carrier Safety Regulations, which include insurance requirements, operational restrictions, Commercial Drivers License endorsements, routing, parking, and attendance requirements for hazardous materials.

HAZMAT TRAINING

INTRODUCTION

The purpose of this training is to ensure that each hazmat employer trains its hazmat employees regarding safe loading, unloading, handling, storing and transporting of hazardous materials and emergency preparedness for responding to accidents or incidents involving the transportation of hazardous materials.

DEFINITIONS:

HAZMAT EMPLOYER means one that uses one or more of its employees in connection with:

- · transporting hazardous materials in commerce;
- causing hazardous material to be transported or shipped in commerce;
- representing, marking, certifying, selling, offering, reconditioning, testing, repairing, or modifying containers, drums, or packagings as qualified for use in the transportation of hazardous materials.

This term includes an owner-operator of a motor vehicle who transports hazardous materials in commerce. This term also includes any department, agency, or instrumentality of the United States, a State, a political subdivision of a State, or an Indian tribe engaged in an activity described above.

HAZMAT EMPLOYEE means a person who is employed by a hazmat employer and who in the course of employment directly affects hazardous materials transportation safety. The term includes an owner-operator of a motor vehicle which transports hazardous materials in commerce. This term refers to an individual, including a self-employed individual who, during the course of employment:

- loads, unloads, or handles hazardous materials;
- tests, reconditions, repairs, modifies, marks, or otherwise represents containers, drums or packagings as qualified for the use in the transportation of hazardous materials;
- prepares hazardous materials for transportation;
- is responsible for safety of transporting hazardous materials; or
- operates a vehicle used to transport hazardous materials.

Some examples of who will be required to be trained are:

- a person determining if a material is a hazardous material;
- a person who designs, produces and/or sells a packaging for hazardous materials;
- a person determining proper packaging for a hazardous material;
- · a person who puts the hazardous material in the package;
- a person who marks and labels the package;
- a person who fills out shipping papers:
- · a person who loads or unloads hazardous materials;
- a person who moves the packaging in a warehouse during the course of transportation;
- a person who operates a vehicle transporting the material.

Training for a hazmat employee after July 2, 1993, must be completed within 90 days after employment. Each hazmat employee must again receive the required training at least once every three years.

PART 172 SUBPART H TRAINING

Training Requirements -

Four Categories of training for highway mode:

- General Awareness
- Function Specific
- Safety Training

Initial and Recurrent Training -

- Responsibility of Hazmat Employer.
- Hazmat Employee to Receive Training at Least Once Every Three Years.

Recordkeeping -

- Be Created and Retained by Employer.
- The Records Shall Include:
 - 1. Employee's Name;
 - 2. Training Completion Date;
 - 3. Description of Materials Used for Training;
 - 4. Name and Address of Person Providing Training;
 - 5. Certification that Employee Has Been Trained and Tested.

Applicability & Responsibility for Training -

- Hazmat Employer to Ensure Each of its Employees are Trained.
- · Hazmat Employee Cannot Perform Any Hazardous Material Function Unless Trained.
- Training May Be Provided by Public or Private Source.

PART 177 TRANSPORTATION BY HIGHWAY

• Driver Training (177.816)

GUIDE FOR HAZARDOUS MATERIALS SHIPPING PAPERS

USE OF GUIDE – This guide is designed for in-house use when reviewing hazardous material shipping paper requirements. However, this document should **not** be used to determine compliance with the U.S. DOT Hazardous Materials Regulations (HMR).

1. DEFINITIONS

- A. Shipping Paper (49 CFR 171) A shipping paper is a shipping order, bill of lading, manifest, or other shipping document serving a similar purpose and containing the information required by 49 CFR 172.201, 172.202 and 172.204.
- B. The terms "dangerous goods" and "hazardous materials" are considered synonymous.
- 2. SHIPPER'S RESPONSIBILITY (49 CFR 172.200(a)) The person offering a hazardous material for transport has the responsibility to properly prepare the shipping paper. (See also 173.22)
 - A. Contents When describing a hazardous material on a shipping paper, that description must conform to the following requirements:
 - (1) When a hazardous material and other materials are both described on the same shipping paper, the hazardous material description entries:
 - (a) Must be entered first, or
 - (b) Must be entered in a contrasting color (or highlighted in a contrasting color for reproduced copies of the shipping paper only), or
 - (c) Must be identified by the entry "X" placed before the proper shipping name in a column captioned "HM". The "X" may be replaced by "RQ" (Reportable Quantity), if appropriate.
 - (2) The required shipping description on the original shipping paper and all copies must be legible and printed (manually or mechanically) in English.
 - (3) The required description may not contain any code or abbreviation, unless it is specifically authorized or required, such as "UN", United Nations, "NA", North America, or "Ltd. Qty.", Limited Quantity.
 - (4) A shipping paper may contain additional information concerning the material provided the information is not inconsistent with the required description. The additional information must be placed after the basic description required by 49 CFR 172.202(a).
- 4. HAZARDOUS MATERIALS DESCRIPTION (49 CFR 172.202) The shipping description of a hazardous material on a shipping paper must include the following information:
 - A. Proper shipping name MAY NOT BE ABBREVIATED (49 CFR 172.101 Hazardous Materials Table or 172.102 Optional HMT).
 - B. The hazard class of the material (See 49 CFR 172.202(a)(2)).
 - C. The identification number for the material (preceded by "UN" or "NA", as appropriate 49 CFR 172,202(a)(3)).
 - D. Packing Group (If Applicable)
 - E. The total quantity by weight (net or gross, as appropriate) or volume, including the unit of measure, of the hazardous material, except for empty packaging, cylinders if compressed gases, and packaging of greater than 119 gallons capacity.
 - F. Except as otherwise provided in the regulations, the basic description must be in the sequence shown in the 49 CFR 172.101 Hazardous Materials Table. For example: "Acetone, 3, Un 1090, PG II".
 - G. The total quantity of the material covered by one description must appear before or after (or **both** before and after) the basic description.
 - 1. Abbreviations may be used to specify the type of packaging or units of measure.

H. Technical names for n.o.s. and other generic descriptions (172.203(k)). If the material is described on a shipping paper by one of the proper shipping names listed in paragraph (k)(3) of this section, the technical name of the hazardous material must be entered in parentheses in association with the basis description as follows: Example: "3, N.O.S., UN 1993, PGI, (Acetone)".

5. ADDITIONAL DESCRIPTION REQUIREMENTS (49 CFR 172.203) ALL MODES

- A. Exemptions Each shipping paper issued in connection with shipment made under an exemption must bear the notation "DOT-E" followed by the assigned number. Place the exemption number adjacent to the description to which the exemption applies.
- B. Limited Quantities Descriptions for materials defined as "Limited Quantities" must include the words "Limited Quantities" or "Ltd Qty" following the basic description.
- C. Hazardous Substances 172.203(c)
 - (1) If the proper shipping name (for a material that is a hazardous substance) does not identify the hazardous substance by name, the following shall be entered, in parentheses, in association with the basic description:
 - (a) name of the hazardous substance from the Appendix to the 172.101 Hazardous Materials Table or
 - (b) for waste streams, the waste stream number.
 - (2) The letters "RQ" (Reportable Quantity) shall be entered on the shipping paper either before or after the basic description required by 49 CFR 172.202 for each hazardous substance.
- D. Radioactive Materials For additional description requirements refer to 172.203(d).
- E. Empty Packaging See 49 CFR 172.203(e).
- F. Technical names for n.o.s. descriptions See 172.203(k).
- G. Marine Pollutants See 172.203 (I).
- H. Poisonous Materials See 172.203(m).
- I. Elevated Temperature Material (Hot) see 172.325.

6. TRANSPORTATION BY HIGHWAY

- A. Shipping Papers (49 CFR 177.817)
 - (1) General A carrier may not accept a hazardous material for transportation unless it is accompanied by a shipping paper prepared in accordance with the shipping paper requirements contained in Subpart C of Part 172, 49 CFR 172.200, 172.201, 172.202 and 172.203.
 - (2) Shipper's Certification See 172.204.
 - (3) Accessibility of shipping papers Each carrier and driver of the vehicle shall ensure that the shipping paper is readily available for inspection and recognizable by authorities in case of an accident or for inspection:
 - (a) clearly distinguish the shipping paper if it is carried with other shipping papers or other papers of any kind, by either distinctively tabbing it or having it appear first; and
 - (b) store the shipping paper as follows:
 - (i) when the driver is at the controls of the vehicle, within easy reach or visible to anyone entering the vehicle compartment; or
 - (ii) when the driver is away from the vehicle the shipping papers must be left on the driver's seat or in the door pouch on the driver's side.

7. EMERGENCY RESPONSE INFORMATION REQUIREMENTS (172.201(d), Subpart G, 172.600)

- A. Emergency response information (172.602)
 - (1) "Emergency response information" means information that can be used in the mitigation of an incident involving hazardous materials and, as a minimum, must contain the following information:
 - (a) The basic description and technical name of the hazardous material;
 - (b) Immediate hazards to health;

- (c) Risk of fire or explosion;
- (d) Immediate precautions to be taken in the event of an accident or incident;
- (e) Immediate methods for handling fires;
- (f) Initial methods for handling spills or leaks in the absence of fire; and
- (g) Preliminary first aid measures.
- (2) Form of information. The emergency response information must be:
 - (a) Printed legibly in English;
 - (b) Available for use away from the package containing the hazardous material; and
 - (c) Presented with or on the shipping paper.
- (3) Maintenance of information Emergency response information shall be maintained as follows:
 - (a) Carriers Each carrier who transports a hazardous material shall maintain the emergency response information in the same manner as prescribed for shipping papers.
 - (b) Facility operators Each operator of a facility where a hazardous material is received, stored or handled during transportation, shall maintain the emergency response information whenever the hazardous material is present, and the information must be accessible to facility personnel in the event of an incident involving the hazardous materials.

B. Emergency response telephone number (172.604)

- (1) A person who offers a hazardous material for transportation must provide a 24 hour emergency response telephone number, including the area code, for use in the event of an emergency involving the hazardous materials. The telephone number must be:
 - (a) Monitored at all times the hazardous material is in transportation, including storage incidental to transportation;
 - (b) The number of a person who is either knowledgeable of the hazards and characteristics of the hazardous material being shipped and has comprehensive emergency response and incident mitigation information for that material, or has immediate access to a person who possesses such knowledge and information; and
 - (c) Entered on a shipping paper, as follows:
 - (i) Immediately following the description of a hazardous material; or
 - (ii) Entered once on the shipping paper in a clearly visible location. It must be indicated that telephone number is for emergency response information (for example: "EMERGENCY CONTACT:" ***).

GUIDE FOR PLACARDS

USE OF GUIDE – This guide is designed for in-house use when reviewing hazardous materials placarding requirements. However, this document should **not** be used to determine compliance with the U.S. DOT Hazardous Materials Regulations (HMR).

TABLE 1 TABLE 2		TABLE 2	
Category	Placard Name	Category	Placard Name
1.1	Explosive 1.1	1.4	Explosive 1.4
1.2	Explosive 1.2	1.5	Explosive 1.5
1.3	Explosive 1.3	1.6	Explosive 1.6
2.3	Poison Gas	2.1	Flammable Gas
4.3	Dangerous When Wet	2.2	Non-flammable Gas
5.2	Organic Peroxide	3	Flammable
(Type B Temperature Controlled)	Organic Peroxide	Combustible Liquid	Combustible
6.1 (Inhalation Hazard, Zone A or B) I	Poison Inhalation Hazard	4.1	Flammable Solid
7 (Radioactive yellow III label only)	Radioactive	4.2	Spontaneous Combustible
		5.1	Oxidizer
		5.2	Organic Peroxide
		6.1 (PG I or II, other that	Zone A or B inhalation hazard) Poison
		6.1 (PG III)	Keep Away from Food
		6.2	None
		8	Corrosive
		9	Class 9
		ORM D	None

Note: For details on the uses of Tables 1 and 2, see Section 172.504 For placarding transition chart, see Section 171.14

2. GUIDELINES

- A. Placard any transport vehicle, freight container, or rail car containing any quantity of material listed in Table 1.
- B. Materials which are shipped in portable tanks, cargo tanks, or tank cars must be placarded when they contain any quantity of Table 1 and/or Table 2 material.
- C. Motor vehicles or freight containers containing packages which are subject to the "Poison-Inhalation Hazard" shipping paper description of Section 172.203(k)(4), must be placarded POISON in addition to the placards required by Section 172.504 (see Section 172.505).
- D. When the gross weight of all hazardous material covered in Table 2 is less than 1001 pounds, no placard is required on a transport vehicle or freight container.

3. ADDITIONAL PLACARDING GUIDELINES

A. A transport vehicle or freight container containing two or more classes of material requiring different placards specified in Table 2 may be placarded DANGEROUS in place of the separate placards specified for each of those classes of material specified in Table 2. However, when 2205 pounds or more of one class of material is loaded therein at one loading facility, the placard specified for that class must be applied. This exception, provided in Section 172.504(b) does **not** apply to portable tanks, tank cars, or cargo tanks.

CAUTION: Check each shipment for compliance with the appropriate hazardous materials regulations – Proper Classification, Packaging, Marking, Labeling, Placarding Documentation – prior to offering for shipment.

MATERIALS OF TRADE (Definition)

<u>Materials of Trade</u> means a hazardous material, other than a hazardous waste, that is carried on a motor vehicle—

- 1) For the purpose of protesting the health and safety of the motor vehicle operator or passengers;
- 2) For the purpose of supporting the operation or maintenance of a motor vehicle (including its auxiliary equipment); or
- 3) By a private motor carrier (including vehicles operated by a rail carrier) in direct support of a principal business that is other than transportation by motor vehicle.

173.6 Materials of trade exceptions.

When transported by motor vehicle in conformance with this section, a material of trade is not subject to any other requirements of this subchapter besides those set forth or referenced in this section.

(a) Materials and amounts.

A material of trade is limited to the following:

- (1) A Class 3, 8, 9, Division 4.1, 5.1, 5.2, 6.1, or ORM-D material contained in a packaging having a gross mass or capacity not over—
 - (i) 0.5 kg (1 pound) or 0.5 L (1 pint) for a Packing Group I material;
 - (ii) 30 kg (66 pounds) or 30 L (8 gallons) for a Packing Group II, Packing Group III, or ORM-D material;
 - (iii) 1500 L (400 gallons) for a diluted mixture, not to exceed 2 percent concentration, of a Class 9 material.
- (2) A Division 2.1 or 2.2 material in a cylinder with a gross weight not over 100 kg (220 pounds), or a permanently mounted tank manufactured to ASME standards of not more than 70 gallon water capacity for a non-liquefied Division 2.2 material with no subsidiary hazard.
- (3) A Division 4.3 material in Packing Group II or III contained in a packaging having a gross capacity not exceeding 30 ml (1 ounce).
- (4) This section does not apply to a hazardous material that is self-reactive (see 173.124), poisonous by inhalation (see 173.133), or a hazardous waste.

(b) Packaging.

- (1) Packagings must be leak tight for liquids and gases, sift proof for solids, and be securely closed, secured against movement, and protected against damage.
- (2) Each material must be packaged in the manufacturer's original packaging, or a packaging or equal or greater strength and integrity.
- Outer packagings are not required for receptacles (e.g., cans and bottles) that are secured against movement in cages, carts, bins, boxes or compartments.
- (4) For gasoline, a packaging must be made of metal or plastic and conform to the requirements of this subchapter or to the requirements of the Occupational Safety and Health Administration of the Department of Labor contained in 29 CFR 1910.106(d)(2) or 1926.152(a)(1).
- (5) A cylinder or other pressure vessel containing a Division 2.1 or 2.2 material must conform to packaging, qualification, maintenance, and use requirements of this subchapter, except that outer packagings are not required. Manifolding of cylinders is authorized provided all valves are tightly closed.

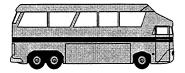
(c) Hazard communication.

- (1) A non-bulk packaging other that a cylinder (including a receptacle transported without an outer packaging) must be marked with a common name or proper shipping name to identify the material it contains, including the letters "RQ" if it contains a reportable quantity of a hazardous substance.
- (2) A bulk packaging containing a diluted mixture of a Class 9 material must be marked on two opposing sides with the four-digit identification number of the material. The identification number must be displayed on placards, orange panels or, alternatively, a white square-on-point configuration having the same outside dimensions as a placard (at least 273 mm (10.8 inches) on a side), in the manner specified in 172.332 (b) and (c) of this subchapter.
- (3) A DOT specification cylinder (except DOT specification 39) must be marked and labeled as prescribed in this subchapter. Each DOT-39 cylinder must display the markings specified in 178.65(i).
- (4) The operator of a motor vehicle that contains a material of trade must be informed of the presence of the hazardous material (including whether the package contains a reportable quantity) and must be informed of the requirements of this section.
- (d) Aggregate gross weight. Except for a material of trade authorized by paragraph (a)(1)(iii) of this section, the aggregate gross weight of all materials of trade on a motor vehicle may not exceed 200 kg (440 pounds).
- (e) Other exceptions. A material of trade may be transported on a motor vehicle under the provisions of this section with other hazardous materials without affecting its eligibility for exceptions provided by this section.

Where can I get more information about Hazardous Materials?

There are many ways to get additional information about safe transportation of hazardous materials. The regulations and interpretations can be found on the Internet at www.hazmat.dot.gov. In addition, the Federal Motor Carrier Safety Administration has developed an informational booklet titled "How to Comply with the Federal Hazardous Materials Regulations" as well as a Spanish/English bi-lingual package which contains general awareness training for hazardous materials. These documents and more information, can be found on the FMCSA website at www.fmcsa.dot.gov/safetyprogs/hm.htm. The Department also offers a hazardous materials information hotline at 1-800-HMR-4922.

Motor Carriers of Passengers



Motor Carriers of Passengers

Historically, the predecessor agencies of the FMCSA only regulated "for-hire" transportation of passengers with a vehicle designed to transport at least 16 passengers, including the driver.

Private motor carriers of passengers (PMCPs) became subject to the FMCSRs on January 1, 1995. They are separated into two groups (business or nonbusiness) and are exempt from certain requirements of the FMCSRs.

Motor carriers operating vehicles designed or used to transport 9 to 15 passengers (including the driver) for compensation became subject to three regulatory standards on February 12, 2001. See 390.3 (f)(6) for details.

For Hire Carriers

Three factors must be present before a motor carrier of passengers is classified as a "for-hire" carrier:

- 1. The motor carrier provides interstate transportation of passengers for a commercial purpose;
- 2. The motor carrier is compensated, either directly or indirectly, for the transportation service provided; and
- 3. The transportation service is generally available to the public at large.

Examples of for-hire transportation of passengers include, intercity bus service, charter bus service, canoe rental company bus service, and hotel bus service.

Business PMCPs

Business PMCPs provide private transportation of passengers in the furtherance of a commercial purpose.

Examples of business PMCPs include companies that use buses to transport their own employees and professional musicians who use buses for concert tours.

Non-business PMCPs

Non-business PMCPs provide private transportation of passengers that is not in the furtherance of a commercial purpose.

Examples of non-business PMCPs include churches, private schools, scout groups, and other organizations that may purchase or lease buses for the private transportation of their respective groups.

What is a Business PMCP?

Business PMCPs provide private transportation of passengers in the furtherance of a commercial purpose. Examples include companies that use buses to transport their own employees and professional musicians who use buses for concert tours. Commercial businesses that provide passenger transportation to the general public are <u>not</u> business PMCPs.

Applicability of FMCSRs

The chart below summarizes the applicability of the Federal Motor Carrier Safety Regulations (FMCSRs) to Business Private Motor Carriers of Passengers (PMCPs).

PART	REGULATORY TOPIC	APPLICABLE
382	Controlled Substances and Alcohol Use and Testing	Yes
383	Commercial Driver's License	Yes
387	Financial Responsibility (Insurance/Surety)	No
390	General Applicability and Definitions	Yes
391	Qualifications of Drivers	Partial
392	Driving of Commercial Motor Vehicles	Yes
393	Parts and Accessories	Yes
395	Driver's Hours of Service	Yes
396	Inspection, Repair, and Maintenance	Yes

Exemptions

Business PMCPs are not subject to:

- Minimum levels of financial responsibility
- Road test requirements of Part 391

What is a Non-business PMCP?

Non-business PMCPs provide private transportation of passengers that is not in the furtherance of a commercial purpose. Examples of non-business PMCPs include churches, private schools, civic organizations, scout groups, and other charitable organizations that may purchase or lease buses for the transportation of their respective groups.

Applicability of FMCSRs

The chart below summarizes the applicability of the Federal Motor Carrier Safety Regulations (FMCSRs) to Non-business Private Motor Carriers of Passengers (PMCPs).

PART	REGULATORY TOPIC	APPLICABLE
382	Controlled Substances and Alcohol Use and Testing	Yes
383	Commercial Driver's License	Yes
387	Financial Responsibility (Insurance/Surety)	No
390	General Applicability and Definitions	Yes
391	Qualifications of Drivers	Partial
392	Driving of Commercial Motor Vehicles	Yes
393	Parts and Accessories	Yes
395	Driver's Hours of Service	Partial
396	Inspection, Repair, and Maintenance	Partial

Exemptions

Non-business PMCPs are not subject to:

- Minimum levels of financial responsibility
- Subpart C of Part 391
- Subpart D of Part 391
- Subpart F of Part 391
- Most paper work and record-keeping requirements of Parts 390, 391, 395, and 396.

Applicability of The Minimum Financial Responsibility Regulations to Motor Carriers of Passengers

Applicability

Regulations covering minimum levels of financial responsibility (insurance) are found in 49 CFR Part 387, Subpart B. These regulations are only applicable to "for-hire" carriers transporting passengers in interstate commerce.

The chart below summarizes the applicability of the minimum levels of financial responsibility regulations to passenger carriers.

	"For Hire" Passenger Carrier	Business PCMPs	Non-business PCMPs
Vehicle with a seating capacity of 16 or more	\$5,000,000 insurance coverage required	Not Subject	Not Subject
Vehicle with a seating capacity of 15 or less	\$1,500,000 insurance coverage required	Not Subject	Not Subject

Exemptions

Minimum Financial Responsibility Regulations do not apply to:

- A motor vehicle transporting only school children and teachers to and from school
- A motor vehicle providing taxicab service, having a seating capacity of less than 7 passengers, and not operating on a regular route or between specified points
- A motor vehicle carrying less than 16 individuals in a single daily round trip to commute to and from work

Common Questions About the Applicability of the FMCSRs to Private Motor Carriers of Passengers (PMCPs)

Are PMCPs required to mark their vehicles as required by 49 CFR Part 390.21?

Yes. All PMCPs must register with the FMCSA as required by 49 CFR Part 385, and mark their vehicle with their name, city and state, and U.S. DOT number.

Are non-business PMCP drivers required to be medically examined?

No. Section 391.68 (a)(4) specifically states that much of Sections 391.41 and 391.45, which require a driver to be medically examined and to have a medical examiner's certificate on his/her person, do not apply to non-business PMCPs. However, non-business PMCP drivers are subject to the minimum physical qualification standards found in Section 391.41 (b) (1)-(13).

Non-business PMCPs should become familiar with the minimum physical qualification standards found in Section 391.41 and the driver waiver conditions of Section 391.49.

Non-business PMCP drivers may be placed out-of-service during terminal, en route, or destination inspections if they are required by Section 391.41 to have a waiver and do not possess one.

Are non-business PMCP drivers subject to the driver's hours of service regulations?

Yes. However, they are not required to prepare or maintain records of duty status. Non-business PMCP driver's hours of service will be evaluated by enforcement officers during terminal, en route, and destination inspections based on evidence available at the inspection location.

It is recognized that some individuals who volunteer to drive for non-business PMCPs may also drive for other motor carriers and in that capacity are required to maintain a record of duty status. All on-duty time performed for a non-business PMCP must be recorded on the records of duty-status submitted to that driver's regularly employing motor carrier.

Are non-business PMCPs required to have their vehicles inspected?

Yes. Section 396.17 requires that commercial motor vehicles be inspected at least once annually. The inspection must be completed by a qualified inspector and must include all components identified in Appendix G of the FMCSRs. Documentation of this inspection must be kept on the vehicle.

Applicability of The Federal Motor Carrier Safety Regulations to School Bus Transportation

Applicability of FMCSRs (Parts 390-399) to School Bus Transportation

	School to Home or Home to School	Extracurricular School Activities
Public School Transporting Students	Not Subject	Not Subject
Private School Transporting Pre-primary, Primary, and Secondary Students	Not Subject	Subject as Non-business PMCPs
Private School Transporting Post-secondary Students	Subject as Non-business PMCPs	Subject as Non-business PMCPs
"For Hire" Contractors Transporting Pre-primary, Primary, and Secondary Students	Not Subject	Subject as "For Hire" Carriers
"For Hire" Contractors Transporting Post-secondary Students	Subject as "For Hire" Carriers	Subject as "For Hire" Carriers

Applicability of Minimum Financial Responsibility Part 387 Regulations to School Bus Transportation.

	School to Home or Home to School	Extracurricular School Trips Organized and Paid for by the School	Extracurricular School Trips Organized and Paid for by an Independent Group (e.g., Athletic Booster Club)
"For Hire" Contractors Transporting Preprimary, Primary, and Secondary Students and Accompanying Teachers	Not Subject	Not Subject	Bus seating capacity of 16 or more: \$5,000,000 insurance coverage required Bus seating capacity of 15 or less: \$1,500,000 insurance coverage required
"For Hire" Contractors Transporting Post- secondary Students	Bus seating capacity of 16 or more: \$5,000,000 insurance coverage required Bus seating capacity of 15 or less: \$1,500,000 insurance coverage required	Bus seating capacity of 16 or more: \$5,000,000 insurance coverage required Bus seating capacity of 15 or less: \$1,500,000 insurance coverage required	Bus seating capacity of 16 or more: \$5,000,000 insurance coverage required Bus seating capacity of 15 or less: \$1,500,000 insurance coverage required

Applicability of The Federal Motor Carrier Safety Regulations to Commercial Operators of Small Passenger-Carrying Vehicles

What requirements are applicable to operators of small passenger-carrying commercial motor vehicles?

In Interstate Commerce

Operators of vehicles designed or used to transport 9 to 15 passengers (including the driver) for compensation, are subject to the Motor Carrier Identification Report (Form MCS-150) filing requirements of Section 390.19, the commercial motor vehicle marking requirements of Section 390.21, and the accident register recordkeeping requirements of Section 390.15.

In Intrastate Commerce

Operators of vehicles both private and regulated designed or used to transport 6 or more passengers, excluding the driver, are subject to the Federal Motor Carrier Safety Regulations when operating in intrastate commerce.

Passenger carriers with a designed seating capacity of 15 or less are exempt form Part 382 – Controlled Substances and Alcohol Use and Testing, and Part 383- Commercial Driver's License Standards.

Leasing



LEASING

A. Leasing Equipment With or Without a Driver to an Authorized Carrier

1. When a person who is **not** authorized by this division, leases equipment without or without driver to an authorized carrier or if an authorized carrier leases equipment to another authorized carrier, the lease must be reduced to writing with at least two executed copies. One copy must be retained by the lessee (the person to whom property is leased) and the other must accompany the driver of the leased vehicle.

When the vehicle is leased (except if subleased as explained below), the lessee is considered the operator of the vehicle. The lease should state that the leased equipment is to be operated solely by the lessee during the term of the lease and that the lessee maintains control over the operation of the equipment including licensing, markings, insurance, drivers' qualifications, drivers' hours of service and all related items, to the same extent as if the lessee was the actual owner of the vehicle.

The lessee must accept responsibility to the public for any injury caused in the operation of leased equipment during the term of the lease, display appropriate vehicle markings and shall maintain and operate the leased equipment in accordance with all state requirements. Upon termination of the lease, lessee markings and copies of all leases must be removed from all vehicles.

B. Leasing Equipment to Shippers, Receivers, Passenger, Chartering Groups or Other Person Not Authorized by the Division

- 1. If a person who is **not authorized by this division** to engage in intrastate transportation, leases equipment and driver to a shipper, receiver, passenger or chartering group, the intrastate transportation is presumed to be private carriage if;
 - a. The lessee accepts full control and responsibility over the operation of the equipment and drivers;
 - b. The lease includes all required items as listed in A above; and
 - c. The period for which the lease applies must be thirty (30) consecutive days or more.

The resulting operation will **not** be presumed to be private if the lease does not meet these requirements.

2. An authorized motor carrier shall not lease vehicles with or without driver to shippers or receivers of property nor to passengers or chartering groups.

C. Subleasing Equipment With or Without a Driver to Another Authorized Carrier

An authorized motor carrier shall not sublease a leased vehicle with or without driver unless the lease expressly authorizes the lessee motor carrier to sublease the vehicle to another authorized motor carrier. When a vehicle is subleased, the new lessee is exclusively responsible for the complete operations of the vehicle and it cannot be further subleased.

D. Leasing of Authority

A motor carrier cannot lease any operating authority, unless approved by the division.

E. For More Detailed Information Concerning Leasing, Refer to 4 CSR 265-10.040.

How To Obtain Manuals And Forms & Field Office Directory



HOW TO OBTAIN MANUALS AND FORMS

The Missouri Division of Motor Carrier and Railroad Safety does <u>not</u> stock or supply manuals and forms, such as the FMCSRs, "Accident Countermeasure" Manual, Medical Examiner's Certificate, Driver's Qualification File Forms, Driver's Daily Log Books, Hazardous Materials Placards, Hazardous Materials Labels, etc. They may be obtained from printing firms, State motor carrier associations, or other sources including, but not confined to, those listed below. Please note that the following suppliers may carry only certain items.

ArtCrest, Inc. Company

Louisiana Street Little Rock, AR 72206 (501) 374-6427

Jack Bilt Corporation

906 Central Street Road Kansas City, MO 64105 (800) 621-5808

J.J. Keller & Associates, Inc.

3003 West Breezewood Lane P.O. Box 368
Neenah, WI 54957-0368
(877) 564-2333

Superintendent of Documents U.S. Government Printing Office

Washington D.C. 20402 (202) 512-1800

Lancer Insurance 2003

370 West Park Avenue Long Beach, NY 11561 (516) 431-4441

LabelMaster

5724 North Pulaski Chicago, IL 60646 (800) 621-5808

Missouri Motor Carriers

227 Jefferson Street Jefferson City, MO (573) 634-3388

Triodyne, Inc.

5950 West Touhy Ave. Niles, IL 60714-4610 (708) 677-4730 Ext.162

Regulatory Publications:

Federal Motor Carrier Safety Regulations 49 CFR Parts 200-399
Federal Hazardous Materials Regulations 49 CFR Parts 100-177
HM Container Regulations 49 CFR Parts 178-199

FIELD OFFICE DIRECTORY

State of Missouri, Department of Economic Development **Division of Motor Carrier and Railroad Safety**

State Headquarters - Toll Free (866) 831-6277

Missouri Division of Motor Carrier and Railroad Safety

P.O. Box 1216 Jefferson City, Missouri 65102 Office: (573) 751-7117

FAX: (573) 751-4354

Charles Gohring

Transportation Program Specialist

Office: (573) 751-7107 FAX: (573) 751-4354

E-mail: cgohring@mail.state.mo.us

Ben F. Goodin

Enforcement Administrator Office: (573) 751-7117 FAX: (573) 751-4354

Jeff Payne

Transportation Program Specialist

Office: (573) 751-7114 FAX: (573) 751-4354

E-mail: jpayne@mail.state.mo.us

Field Offices

Region 1

Kansas City Office

310 N. W. Englewood

Suite 400

Kansas City, Missouri 64118 Office: (816) 467-7927 FAX: (816) 467-7928

E-mail: region1@qni.com

Region 2

Springfield Office

149 Park Central Square, Rm. 910 Springfield, Missouri 65806 Office: (417) 895-6365 FAX: (417) 895-6364

E-mail: region2@cland.net

Region 3

Poplar Bluff Office

2865 James Blvd. Poplar Bluff, Missouri 63901 Office: (573) 840-9740 FAX: (573) 840-9206

E-mail: region3@pbmo.net

Region 4

St. Charles Office

512 Madison St. St. Charles, Missouri 63301 Office: (636) 940-3315

FAX: (636) 940-3319

Region 5

Jefferson City Office

P.O. Box 1216 Jefferson City, Missouri 65102 Office: (573) 751-1853

FAX: (573) 751-4354

E-mail: region4@accessus.net E-mail: dchute@mail.state.mo.us

Region 6

Kirksville Office

P.O. Box 7527 Kirksville, Missouri 63501 Office: (660) 785-2450

FAX: (660) 785-2451

E-mail: region6@kvmo.net

Region 7

Clinton Office

1737 E. Ohio Clinton, Missouri 64735 Office: (660) 885-5998 Fax: (660) 885-4895

E-mail: region7@dam.net

Local & Bordering Federal Motor Carrier Safety Administration Field Offices

ARKANSAS

3414 Federal Building 700 West Capitol Little Rock, AR 72201 (501) 324-5050

IOWA

105 6th Street Ames, IA 50010-6337 (515) 233-7400

KENTUCKY

Federal Building & US Courthouse 330 West Broadway (502) 223-6779

NEBRASKA

Federal Building 100 Centennial Mall North Room 220 (402) 437-5986

TENNESSEE

640 Grassmere Park, Suite 111 Nashville, TN 37211 (615) 781-5781

ILLINOIS

3250 Executive Park Drive Springfield, IL 62703-4514 (217) 492-4608

KANSAS

3300 S. Topeka Blvd, Suite 1 Topeka, KS 66611-2237 (785) 267-7288

MISSOURI

209 Adams Street Jefferson City, MO 65101 (573) 636-3246-3870

OKLAHOMA

300 N. Meridian, Suite 106-S Oklahoma City, OK 73107-6560 (405) 605-6047

FMCSA Information Line 1-800-832-5660

The automated response asks the caller to chose one of the five numbers for further information as follows:

- 1. Motor carrier safety ratings or D.O.T. numbers
- 2. Federal regulations and activities, such as waiver programs and hazmat transportation
- 3. Inspections, accidents or carrier reviews conducted on a motor carrier
- 4. Economic regulation of for-hire trucks and buses
- 5. Other information (wait on the line and an FMCSA staff member answers)

FMCSA's Household Goods Consumer Complaint Hotline 1-888-368-7238